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LEGISLATIVE HISTORY
Public Law 91-122
H. R. 14030

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INDEX AND SUMMARY OF H. R. 14030

Sept.	25, 1969	Rep. O'Neal, Ga., introduced H. R. 14030 which was referred to House Agriculture Committee. Print of bill as introduced.
Sept.	30, 1969	House Committee reported H. R. 14030 without amendment. H. Report No. 91-542. Print of bill and report.
Oct.	6, 1969	House passed over H. R. 14030.
Oct.	20, 1969	House passed H. R. 14030 under suspension of the rules.
Oct.	21, 1969	H. R. 14030 was referred to Senate Agriculture and Forestry Committee. Print of bill as referred.
Nov.	5, 1969	Senate committee voted to report H. R. 14030.
Nov.	6, 1969	Senate committee reported H. R. 14030 without amendment. S. Report No. 91-525. Print of bill and report.
Nov.	10, 1969	Senate passed H. R. 14030 without amendment.
Nov.	21, 1969	Approved: Public Law 91-122.

91ST CONGRESS
1ST SESSION

H. R. 14030

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 25, 1969

MR. O'NEAL of Georgia introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend section 358a (a) of the Agricultural Adjustment Act of 1938, as amended, to extend the authority to transfer peanut acreage allotments.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 358a (a) of the Agricultural Adjustment Act
4 of 1938, as amended, is amended by changing "and 1969"
5 to read " , 1969, and 1970".

I

91ST CONGRESS
1ST SESSION

H. R. 14030

A BILL

To amend section 358a(a) of the Agricultural Adjustment Act of 1938, as amended, to extend the authority to transfer peanut acreage allotments.

By Mr. O'NEAL of Georgia

SEPTEMBER 25, 1969

Referred to the Committee on Agriculture

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
FOR INFORMATION ONLY;
NOT TO BE QUOTED OR CITED)

Issued
For actions of

Sept. 30, 1969

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HIGHLIGHTS: House committee reported bills to amend Federal Seed Act, transfer peanut acreage allotments, and increase license fee under Perishable Agricultural Commodities Act. House committee reported housing bill. Senate concurred in House amendment to Desolation Wilderness bill. Ready for President. Rep. Obey introduced and discussed bill to extend indemnity payments to dairy manufacturers.

SENATE

1. WILDERNESS. Concurred in the House amendment to S. 713, to designate the Desolation Wilderness, Eldorado National Forest, Calif. This bill will now be sent to the President. p. S11620
2. FOOD STAMPS. Sen. Javits urged the House to give the food stamp bill the "same broad bipartisan support which characterized the Senate's action on this matter." p. S11551

3. PESTICIDES. Sen. Nelson inserted an article, "An Alternative to DDT Urged." p. S11549
4. SOCIAL SECURITY. Sen. Byrd, W. Va., inserted his radio statement favoring an immediate increase in social security benefits. pp. S11544-5
5. FISHERIES. Sen. Brooke inserted a "penetrating and alarming account of the plight of the U. S. fishing industry." pp. S11546-7
6. EDUCATION. Sen. Murphy inserted a letter in support of his proposed urban and rural education bill. pp. S11557-8
7. WELFARE. Sen. Brooke inserted an address praising the administration's proposed welfare program as a "sensible and human approach" to the problem. p. S11567
8. FOREIGN AID; AUDIT. Sen. Williams, Del., cited "questionable transactions discovered in the audit" of an AID grant. pp. S11590-4

HOUSE

9. HOUSING. The Banking and Currency Committee reported with amendments H. R. 13827, to amend and extend laws relating to housing and urban development (H. Rept. 91-359). p. H8758
Rep. Wyman stated, "Something needs to be done and done now to pick up the decline in housing starts and to protect this sorely pressed essential industry." pp. H8622-3
Rep. Hanna discussed his bill to provide a secondary market for home mortgages and stated that it is essential "this Congress devote its energy to relieving the serious crisis confronting the housing industry." pp. H8715-7
10. ACREAGE ALLOTMENTS. The Agriculture Committee reported without amendment H. R. 14030, to amend section 358a(a) of the Agricultural Adjustment of 1938, as amended, to extend the authority to transfer peanut acreage allotments (H. Rept. 91-542). pp. H8758-9
11. SEEDS. The Agriculture Committee reported without amendment S. 1836, to amend the Federal Seed Act (53 Stat. 1275), as amended, to authorize the Department to approve standards and procedures for certification (H. Rept. 91-543). p. H8759
12. LICENSE FEES. The Agriculture Committee reported without amendment H. R. 9857, to amend the provisions of the Perishable Agricultural Commodities Act, 1930, to authorize an increase in license fee (H. Rept. 91-544). p. H8759
13. FOOD STAMPS. Rep. Poage advised the House that the Agriculture Committee "expects to hold hearings" on the Senate food stamp bill within the next couple weeks. p. H8622

TRANSFER OF PEANUT ACREAGE ALLOTMENTS

SEPTEMBER 30, 1969.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. POAGE, from the Committee on Agriculture, submitted the following

REPORT

[To accompany H.R. 14030]

The Committee on Agriculture, to whom was referred the bill (H.R. 14030) to amend section 358a(a) of the Agricultural Adjustment Act of 1938, as amended, to extend the authority to transfer peanut acreage allotments, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE

The purpose of H.R. 14030 is to extend during the 1970 crop years the existing authorization for the intracounty lease, sale, and transfer of acreage allotment for peanuts among farms. This extends for 1 year the authorization originally granted in Public Law 90-211 for the 1968 and 1969 crop years.

NEED FOR THE LEGISLATION

This legislation is needed for two primary reasons.

First, there are many peanut acreage allotments too small to constitute an economic unit in view of rising costs of producing and harvesting peanuts. The Department of Agriculture reports that more than one-fourth of all peanut allotments are 5 acres or less and more than one-half are 10 acres or less. The average size of established allotments is approximately 18 acres.

The fact that allotments were abandoned during World War II, in order to increase production, encouraged many new producers to enter into production of peanuts. When allotments were reestablished in 1949 the many newly established small and uneconomical allotments served to reduce the size of the allotments awarded the established producers.

Second, much greater mechanization in the production of peanuts involves the use of very expensive equipment, herbicides, and improved methods of cultivation. This simply means that the cost per acre of producing peanuts is going up. Therefore, in many cases, farmers need to increase their peanut acreage allotment in order to realize a reasonable return on their tremendous investment.

GENERAL STATEMENT

Peanut acreage allotments were first established in 1941 by authority of the Agricultural Adjustment Act of 1938, as amended. The size of the allotments was based on a producer's production during the previous 3-year history of production on the farm.

These allotments remained in effect only until 1942 when they were abandoned in order to permit the increase in production demanded by our war effort. Production virtually doubled during this period. The reestablishment of peanut acreage allotments in 1949 brought in many producers who had only begun growing peanuts during the time when allotments had not been in effect. The entrance into the program of these producers created many small and inefficient allotments.

If the Secretary of Agriculture determines that it will not impair the effective operation of the peanut marketing quota or price-support program, H.R. 14030 would permit (for the 1970 crop year, as has been the practice during 1968 and 1969) the owner or operator of a farm which has a peanut acreage allotment to sell or lease all or any portion of his allotment to any other owner or operator of a farm in the same county. It would also permit the owner of a farm with a peanut acreage allotment to transfer all or any part of the allotment to any other farm owned or controlled by him in the same county.

The committee felt that the authority to lease, sell, or transfer peanut acreage allotments should continue, as in 1968 and 1969, to be accompanied by language in the legislation which would guard against any speculation or overproduction which might otherwise result from this authority. Therefore, the committee left unchanged other portions of section 358a which contain the following conditions:

(1) Under no condition may allotments be transferred across county lines.

(2) No allotment may be transferred from a farm subject to a mortgage or lien unless the transfer is agreed to by the lienholders.

(3) No sale of a farm allotment from a farm shall be permitted if any sale of allotment to the same farm has been made within the three immediately preceding crop years.

(4) No transfer of allotment shall be effective until a record thereof is filed with the county committee of the county in which the transfer is made and until the county committee determines that the transfer complies with the provisions of the law.

(5) If there is not more than a 10-percent difference in production per acre, transfers shall be on the basis of acre for acre; however, in cases where the transferred acreage goes to a farm where the production per acre exceeds that of the transferred acreage by more than 10 percent, there shall be a corresponding downward adjustment in the amount of acreage transferred to assure that no overproduction would result from the transfer.

(6) Where an allotment is transferred to a farm which at the present time is not irrigated but which within 5 years places the transferred allotment under irrigation, the Secretary of Agriculture shall then make a downward adjustment in the amount of acreage transferred to assure that there would be no increased production as a result of irrigating the transferred acreage.

(7) The land on the farm from which the entire peanut allotment has been transferred shall not be eligible for a new farm peanut allotment during the 5 years following the year in which such transfer is made.

(8) Leases of any portion of a peanut allotment shall not exceed 5 years.

(9) The total peanut allotment transferred to any farm by sale or lease shall not exceed 50 acres or any lesser amount prescribed by the Secretary.

The committee feels that enactment of this bill will enable many producers to acquire ample peanut acreage to grow peanuts on a more sound economic basis. It will also enable some producers to go out of peanut production in a manner in which both they and other producers who acquire the allotment will benefit.

In essence, this legislation will put peanut production in the hands of those who want to grow peanuts while at the same time it guards against any major geographical switch in peanut production which would undoubtedly be injurious to the economy of many counties.

The committee emphasizes that this legislation is not intended in any way to modify its policy with regard to the transfer of allotments of any other commodity. Lease, sale, and transfer provisions now apply to cotton and certain types of tobacco. These provisions have been designed to apply as closely as possible to the particular needs of these commodities. Likewise, this bill is designed to promote the widest possible benefit for peanut producers.

The committee also points out that allotment transfer authority has been and should be restricted to those crops subject to mandatory marketing quota provisions.

Peanuts: U.S. acreage harvested by years, 1930-67 (acreage picked and threshed)

Crop year:	Thousands of acres	Crop year—Continued	Thousands of acres
1930.....	1, 073	1949.....	2, 308
1931.....	1, 440	1950.....	2, 262
1932.....	1, 501	1951.....	1, 982
1933.....	1, 217	1952.....	1, 443
1934.....	1, 514	1953.....	1, 515
1935.....	1, 497	1954.....	1, 387
1936.....	1, 660	1955.....	1, 669
1937.....	1, 538	1956.....	1, 385
1938.....	1, 692	1957.....	1, 481
1939.....	1, 908	1958.....	1, 516
1940.....	2, 053	1959.....	1, 435
1941.....	1, 900	1960.....	1, 395
1942.....	3, 355	1961.....	1, 398
1943.....	3, 528	1962.....	1, 400
1944.....	3, 068	1963.....	1, 396
1945.....	3, 160	1964.....	1, 397
1946.....	3, 141	1965.....	1, 435
1947.....	3, 377	1966.....	1, 421
1948.....	3, 296	1967.....	1, 402

COST

The Department of Agriculture in its report on H.R. 9246, a bill to make permanent the authority to transfer peanut allotments, advised that a 1-year extension would not result in any additional cost to the Federal Government.

DEPARTMENTAL POSITION

Following is the Department of Agriculture's report on H.R. 9246. The report recommends enactment of a 1-year bill similar to H.R. 14030.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, August 14, 1969.

Hon. W. R. POAGE,
*Chairman, Committee on Agriculture,
House of Representatives.*

DEAR MR. CHAIRMAN: This is in reply to your request of March 21, for a report on H.R. 9246, a bill to amend section 358a of the Agricultural Adjustment Act of 1938, as amended, to make permanent the authority to transfer peanut allotments by sale, lease, or by owner.

We do not favor the bill as proposed since it would make the transfer authority permanent. However, we would favor a bill to provide a 1-year extension through the 1970 crop year. This would make the transfer authority expire for peanuts the same year as for upland cotton.

A 1-year extension would give us an opportunity to evaluate the overall effectiveness and desirability of the transfer authority for all allotment crops. We anticipate that our recommendation on the allotment transfer issue will be made a part of the Department's overall farm program for consideration by the Congress.

Enactment of a bill to provide a 1-year extension would not require additional funds.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

J. PHIL CAMPBELL,
Acting Secretary.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, and existing law in which no change is proposed is shown in roman):

AGRICULTURAL ADJUSTMENT ACT OF 1938

* * * * *

PART VI—MARKETING QUOTAS—PEANUTS

MARKETING QUOTAS

SEC. 358a. (a) Notwithstanding any other provision of law for the 1968 [and 1969] , 1969 and 1970 crop years, the Secretary, if he determines that it will not impair the effective operation of the peanut marketing quota or price-support program, (1) may permit the owner and operator of any farm for which a peanut acreage allotment is established under this Act to sell or lease all or any part or the right to all or any part of such allotment to any other owner or operator of a farm in the same county for transfer to such farm; and (2) may permit the owner of a farm to transfer all or any part of such allotment to any other farm owned or controlled by him.

(b) Transfers under this section shall be subject to the following conditions: (1) no allotment shall be transferred to a farm in another county; (2) no transfer of an allotment from a farm subject to a mortgage or other lien shall be permitted unless the transfer is agreed to by the lienholders; (3) no sale of a farm allotment from a farm shall be permitted if any sale of allotment to the same farm has been made within the three immediately preceding crop years; (4) no transfer of allotment shall be effective until a record thereof is filed with the county committee of the county in which such transfer is made and such committee determines that the transfer complies with the provisions of this section; and (5) if the normal yield established by the county committee for the farm to which the allotment is transferred does not exceed the normal yield established by the county committee for the farm from which the allotment is transferred by more than 10 per centum, the lease or sale and transfer shall be approved acre for acre, but if the normal yield for the farm to which the allotment is transferred exceeds the normal yield for the farm from which the allotment is transferred by more than 10 per centum, the county committee shall make a downward adjustment in the amount of the acreage allotment transferred by multiplying the normal yield established for the farm from which the allotment is transferred by the acreage being transferred and dividing the result by the normal yield established for the farm to which the allotment is transferred: *Provided*, That in the event an allotment is transferred to a farm which at the time of such transfer is not irrigated, but within five years subsequent to such transfer is placed under irrigation, the Secretary shall also make an annual downward adjustment in the allotment so transferred by multiplying the normal yield established for the farm from which the allotment is transferred by the acreage being transferred and dividing the result by the actual yield for the previous year, adjusted for abnormal weather conditions, on the farm to which the allotment is transferred: *Provided further*, That, notwithstanding any other provision of this Act, the adjustment made in any peanut allotment because of the transfer to a higher producing farm shall not

reduce or increase the size of any future National or State allotment and an acreage equal to the total of all such adjustments shall not be allotted to any other farms.

(c) The transfer of an allotment shall have the effect of transferring also the acreage history and marketing quota attributable to such allotment and if the transfer is made prior to the determination of the allotment for any year the transfer shall include the right of the owner or operator to have an allotment determined for the farm for such year: Provided, That in the case of a transfer by lease the amount of the allotment shall be considered, for the purpose of determining allotments after the expiration of the lease, to have been planted on the farm from which such allotment is transferred.

(d) The land in the farm from which the entire peanut allotment has been transferred shall not be eligible for a new farm peanut allotment during the five years following the year in which such transfer is made.

(e) Any lease may be made for such term of years not to exceed five as the parties thereto agree, and on such other terms and conditions except as otherwise provided in this section as the parties thereto agree.

(f) The lease of any part of a peanut acreage allotment determined for a farm shall not affect the allotment for the farm from which such allotment is transferred or the farm to which it is transferred, except with respect to the crop year or years specified in the lease. The amount of the acreage allotment which is leased from a farm shall be considered for purposes of determining future allotments to have been planted to peanuts on the farm from which such allotment is leased and the production pursuant to the lease shall not be taken into account in establishing allotments for subsequent years for the farm to which such allotment is leased. The lessor shall be considered to have been engaged in the production of peanuts for purposes of eligibility to vote in the referendum.

(g) The Secretary shall prescribe regulations for the administration of this section which may include reasonable limitation on the size of the resulting allotments on farms to which transfers are made and such other terms and conditions as he deems necessary, but the total peanut allotment transferred to any farm by sale or lease shall not exceed fifty acres.

(h) If the sale or transfer occurs during a period in which the farm is covered by a conservation reserve contract, cropland conversion agreement, or other similar land utilization agreement the rates of payment provided for in the contract or agreement of the farm from which the transfer is made shall be subject to an appropriate adjustment, but no adjustment shall be made in the contract or agreement of the farm to which the transfer is made.

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Union Calendar No. 217

91ST CONGRESS
1ST SESSION

H. R. 14030

[Report No. 91-542]

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 25, 1969

Mr. O'NEAL of Georgia introduced the following bill; which was referred to the Committee on Agriculture

SEPTEMBER 30, 1969

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

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- 1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 358a (a) of the Agricultural Adjustment Act
4 of 1938, as amended, is amended by changing "and 1969"
5 to read ", 1969, and 1970".

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91ST CONGRESS
1ST SESSION

H. R. 14030

[Report No. 91-542]

A BILL

To amend section 358a(a) of the Agricultural Adjustment Act of 1938, as amended, to extend the authority to transfer peanut acreage allotments.

By Mr. O'NEAL of Georgia

SEPTEMBER 25, 1969

Referred to the Committee on Agriculture

SEPTEMBER 30, 1969

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(FOR INFORMATION ONLY;
NOT TO BE QUOTED OR CITED)

Issued Oct. 7, 1969
For actions of Oct. 6, 1969
91st-1st No. 162

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HIGHLIGHTS: House passed Perishable Agricultural Commodities Act amendments. House subcommittee approved bill to remove certain restrictions against alcoholic beverages in trade promotion under P. L. 480. Senate indefinitely postponed measure to authorize temporary funding of Emergency Credit Revolving Fund. House passed Federal Seed Act amendments. Rep. Ryan offered and withdrew objection to consideration of peanut acreage allotments. The bill was passed over.

SENATE

1. CCC. S. J. Res. 111, authorizing the Commodity Credit Corporation to make an additional advance of \$25 million for emergency credit revolving fund, was indefinitely postponed. p. S11889
2. COPYRIGHT. Passed without amendment S. J. Res. 143, to extend the duration of copyright protection in certain cases. p. S11891

3. CLAIMS. Both Houses received from the U. S. Information Agency an annual report on claims settled under the Military Personnel and Civilian Employees' Claims Act of 1964. pp. S11893, H9136
4. SALINE WATER. Sen. Nelson inserted an amendment intended to be proposed by him to the foreign aid authorization bill to include construction of a desalination plant in Israel as part of this bill. p. S11906
5. TAXATION. Rep. Griffin inserted an analysis of tax reform legislation prepared by the former chairman of the Council of Economic Advisors to President Eisenhower. pp. S11907-9
Rep. Hruska opposed any change in the tax exempt status of state and local bonds. pp. S11928-9
6. ENVIRONMENTAL QUALITY. Rep. Tydings discussed and inserted an article, "Saving the World the Ecologist's Way." pp. S11911-13
7. PESTICIDES. Sen. Nelson inserted an editorial opposing the use of DDT. pp. S11913-4
8. LEGAL SERVICES. Sen. Mondale inserted Sen. Yarborough's speech to the American Bar Ass'n. convention on the legal services program. pp. S11914-5
9. RECREATION. Sen. Yarborough called for passage of his bill to create a Big Thicket National Park. p. S11915
10. POLLUTION. Sen. Nelson inserted articles on water pollution. pp. S11917-24
11. LEGISLATION PROGRAM. Sen. Mansfield announced the Senate will consider the water pollution control bill on Tues. p. S11952

HOUSE

12. ALCOHOLIC BEVERAGES; PUBLIC LAW 480. The "Daily Digest" states that a subcommittee of Agriculture Committee approved for full committee action, H. R. 14169, to amend the Agricultural Trade Development and Assistance Act, removing certain restrictions against domestic wine. p. D910
13. PERISHABLE COMMODITIES. Passed without amendment H. R. 9857, a bill to amend the Perishable Agricultural Commodities Act, to authorize an increase in license fees. p. H9054
14. PEANUTS. Rep. Ryan objected, and later withdrew his objection to the consideration of H. R. 14030, a bill to extend the authority to transfer peanut acreage allotments. The bill was passed over without prejudice. pp. H9053, H9055

The Clerk read the title of the Senate joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the Senate joint resolution as follows:

S.J. RES 112

Whereas additional time is required for the Securities and Exchange Commission to complete its study, and file a report with respect thereto, pursuant to section 19(e) of the Securities Exchange Act of 1934; and

Whereas the actual amount to be expended by the Commission in making such study and report will not exceed the original authorization of \$875,000; and

Whereas an increase of \$70,000 in such authorization is required because of the sums heretofore appropriated pursuant to such authorization \$70,000 will be returned unexpended to the Treasury as of June 30, 1969: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 19(e) of the Securities Exchange Act of 1934 (15 U.S.C. 78s(e)) is amended—

(1) by striking out in paragraph (1) "September 1, 1969" and inserting in lieu thereof "September 1, 1970"; and

(2) by striking out in paragraph (4) "\$875,000" and inserting in lieu thereof "\$945,000".

MOTION OFFERED BY MR. MOSS

Mr. MOSS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Moss moves to strike out all after the resolving clause of Senate Joint Resolution 112 and insert the provisions of House Joint Resolution 754, as passed.

The motion was agreed to.

The preamble was amended so as to read:

Whereas additional time is required for the Securities and Exchange Commission to complete its institutional investors study, and file a report with respect thereto, pursuant to section 19(e) of the Securities Exchange Act of 1934: Now, therefore, be it

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House joint resolution* (H.J. Res. 754) was laid on the table.

TRANSFER OF PEANUT ACREAGE ALLOTMENTS

The Clerk called the bill (H.R. 14030) to amend section 358a(a) of the Agricultural Adjustment Act of 1938, as amended, to extend the authority to transfer peanut acreage allotments.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. RYAN. Mr. Speaker, reserving the right to object, may I ask the author of the bill, for how long under this bill (H.R. 14030) would the authority to transfer peanut acreage allotments be extended?

Mr. O'NEAL of Georgia. Mr. Speaker, if the gentleman will yield, I will say it is for 1 year. It is an extension of the bill the House passed on the Smithsonian Calendar 2 years ago, and this bill would extend it for 1 year.

Mr. RYAN. Is this the same program which was on the Suspension Calendar on August 21, 1967, and which failed on suspension on that day by a vote of 208 to 146?

Mr. O'NEAL of Georgia. Mr. Speaker, if the gentleman will yield further, I will say it was also on the Suspension Calendar later in the year and passed.

Mr. RYAN. On November 6, by a vote of 256 to 57?

Mr. O'NEAL of Georgia. I believe that is correct.

Mr. RYAN. Mr. Speaker, in view of the number of House Members who were opposed to the bill 2 years ago, I question whether this bill should be brought to the House on the Consent Calendar. There may be Members of the House who might wish to raise questions and debate the merits of the program.

The SPEAKER. Does the gentleman from New York object to the present consideration of the bill?

Mr. RYAN. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

AMENDING THE FEDERAL SEED ACT

The Clerk called the bill (S. 1836) to amend the Federal Seed Act (53 Stat. 1275) as amended.

There being no objection, the Clerk read the bill as follows:

S. 1836

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 101(a)(25) of the Federal Seed Act is amended to read as follows:

"(25) The term 'seed certifying agency' means (A) an agency authorized under the laws of a State Territory, or possession, to officially certify seed and which has standards and procedures approved by the Secretary (after due notice, hearings, and full consideration of the views of farmer users of certified seed and other interested parties) to assure the genetic purity and identity of the seed certified, or (B) an agency of a foreign country determined by the Secretary of Agriculture to adhere to procedures and standards for seed certification comparable to those adhered to generally by seed certifying agencies under (A)."

SEC. 2. Section 102 of such Act is amended to read as follows:

"SEC. 102. Any labeling, advertisement, or other representation subject to this Act which represents that any seed is certified seed or any class thereof shall be deemed to be false in this respect unless (a) it has been determined by a seed certifying agency that such seed conformed to standards of genetic purity and identity as to kind or variety, and is in compliance with the rules and regulations of such agency pertaining to such seed; and (b) the seed bears an official label issued for such seed by a seed certifying agency certifying that the seed is of a specified class and a specified kind or variety."

(Mr. ABERNETHY asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. ABERNETHY. Mr. Speaker, nothing could be more fundamental to the future of the agricultural industry than the use of highest quality planting seed. Such is essential to securing better stands of vigorous growing plants, to securing higher yields, and to the production of quality products. Therefore,

everything we do to bring about the best quality seed is not only in the interest of agriculture and to our farmers, but also to the consuming public.

Seed now sold on the market as certified seed is generally regarded as seed that is certified as to class and genetic purity by a seed-certifying agency that has made the field and other investigations necessary to determine the facts certified. But present law does not specifically require that the seed be certified as to national minimum standards of class, genetic purity, and other facts. Certification under the present law now means only that the seed was determined to be produced, processed, and packaged, and conformed to standards of purity as to kind or variety in compliance with rules and regulations of the seed-certifying agency in the area or State where produced. In other States or areas the rules, regulations, and standards might be, and usually are, entirely different.

This situation does not assure the purchaser that the seed meets any uniform minimum standards. The purpose of this bill is to assure that all seed sold in all States must meet certain minimum requirements, as established by the Department of Agriculture, if sold and represented to be certified seed. The bill before the House authorizes the Secretary of Agriculture to assemble and invoke minimum standards to assure genetic purity and identity of the seed certified.

I introduced this legislation (H.R. 10236) in the House of Representatives on April 17, 1969, at the request of the Mississippi Seed Improvement Association and the National Association of Official Seed Certifying Agencies. The measure was cosponsored by my colleague, the gentleman from Mississippi (Mr. MONTGOMERY).

Committee hearings developed that the bill had national support, as well as the support of the Department of Agriculture.

To save time, it was agreed that the Committee on Agriculture would report the Senate bill, which is now before the House and which had already passed the Senate, rather than report the Abernethy-Montgomery bill.

Mr. Speaker, this is good legislation. It has strong nationwide support. It will be helpful to agriculture and also to the American consumer.

We commend it to your favorable consideration.

(Mr. MONTGOMERY asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. MONTGOMERY. Mr. Speaker, I rise in support of Senate bill 1836 to amend the Federal Seed Act. One reason that I am so strongly in favor of this legislation is the fact that I was co-author of an identical bill that was introduced in the House earlier this year. But even if I had not coauthored similar legislation, I would still voice strong approval of the pending bill. I firmly believe this bill is needed by the farmers of America in their efforts to increase acreage yield and to improve the quality of their harvested crops.

This bill would amend the Federal Seed Act to allow the Secretary of Agriculture to set minimum standards for the certification of seeds moving in interstate and international commerce in order for the consumer and producer to be assured of the genetic purity of seeds plus greater uniformity in certified seed in the United States.

I feel that this legislation would be of great benefit to both the producer and consumer of seeds. In all instances, persons would know that seeds they are purchasing adhere to basic minimum standards of certification as set by the Secretary. At the same time, this bill would allow States or certifying organizations that wish to do so to set their standards even higher.

I would point out to my colleagues that it is the intent of this legislation that the Secretary set the standards according to those presently subscribed to by the Association of Official Seed Certifying Agencies.

I would also like for my colleagues to know that this bill has the strong support of seed-certifying agencies across the country as well as that of farmers, farm organizations, and reputable commercial producers of seed.

Mr. Speaker, to my way of thinking, this piece of legislation should indirectly contribute to increased income for the farmer. Because, if the farmer knows that he is purchasing seeds of genetic purity, he will not have to spend a lot of time and money buying several different kinds of seeds just in order to find the one that will give him the best yield on his land. And the better the yield a farmer can produce will mean more money in his pocket.

I strongly urge adoption of Senate bill 1836.

The bill was ordered to be read a third time, was read the third time, and passed and a motion to reconsider was laid on the table.

LICENSE FEES AND EXEMPTIONS UNDER THE PERISHABLE AGRICULTURAL COMMODITIES ACT

The Clerk called the bill (H.R. 9857) to amend the provisions of the Perishable Agricultural Commodities Act, 1930, to authorize an increase in license fee, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

H.R. 9857

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (6) of the first section of the Perishable Agricultural Commodities Act, 1930, as amended (7 U.S.C. 499a(6)), is amended by striking out "\$90,000" and inserting in lieu thereof "\$100,000".

SEC. 2. Paragraph (7) of the first section of such Act (7 U.S.C. 499a(7)) is amended by striking out "\$90,000" and inserting in lieu thereof "\$100,000".

SEC. 3. The third sentence of section 3(b) of such Act (7 U.S.C. 499c(b)) is amended by striking out "\$50" and inserting in lieu thereof "\$100".

(Mrs. MAY asked and was given permission to extend her remarks at this point in the RECORD.)

Mrs. MAY. Mr. Speaker, the bill before us proposes to amend the Perishable Agricultural Commodities Act to raise the authorized ceiling on the annual license fee. The bill would also broaden the exemption from license now provided in the act for certain retailers and frozen food brokers.

The Perishable Agricultural Commodities Act prohibits unfair trading practices in the marketing of fresh and frozen fruits and vegetables in interstate and foreign commerce and provides a mechanism for the settlement of reparation complaints among those handling these commodities. A system of licenses is provided as a means of enforcement and all those commission merchants, brokers, and dealers, including certain retailers and processors operating subject to the act, are required to be licensed. The annual license fees are deposited in a special PACA fund and all costs of administration of the act, except the Office of General Counsel, are financed from these fees.

From 1930, when this law was enacted, until 1950, the annual license fee was \$10. However, during this period the fees collected were deposited in the general receipts of the Treasury and administration of the act was financed from appropriations. In this 20-year period, aggregate fee collection exceeded appropriations by more than \$600,000.

In 1950, Congress established the PACA fund with a working balance of \$150,000, increased the license fee to \$15 and provided that future administration of the act would be financed solely from the fees instead of appropriations.

By 1956, it was necessary for Congress to raise the authorized license fee to \$25. In the 1962 amendments to the act, the authorization was raised to \$50. Under this latest authorization, the fee was increased to \$36 on January 1, 1963, to \$42 on January 1, 1965, and to \$50 on January 1, 1969.

The need to increase the fee again arises primarily from two factors: First, the number of firms subject to license is declining, and second, the cost of administering the act has increased substantially. The number of firms licensed reached an alltime peak of approximately 27,000 in 1956. Since that time, there has been a relatively steady decline, and at present the number is approximately 19,400. During the past 5 years the net decline in the number of firms licensed has ranged between 445 and 871 annually and has averaged over 670 per year. There is reason to believe that this trend will continue.

At the same time, costs of administration have been creeping higher each year. Salaries and fringe benefits account for over 80 percent of expenditures. In an effort to minimize expenditures, employment has been limited and at present is at the lowest level in over 10 years.

The PACA fund incurred a deficit of over \$12,000 in fiscal year 1968. With the continuing decline in numbers of licensees, further deficits are anticipated in both 1970 and 1971.

Since \$50 is the maximum fee now permitted under the act, it is necessary to raise the fee ceiling. The Department of

Agriculture and your Agriculture Committee propose that the ceiling be raised to \$100. The actual licensee fee would be set by the Secretary at a level to produce the necessary revenue, and the Department estimates that an increase of \$10 will be required, raising the fee from \$50 to \$60.

This bill also proposes to broaden the exemption from license now provided in the act for certain retailers and frozen food brokers. Exempt at present are retailers whose purchases of perishable agricultural commodities amount to \$90,000 or less per year and frozen food brokers who negotiate sales for frozen fruits and vegetables having an invoice value of \$90,000 or less per year. This exemption, enacted in 1962, is intended to provide relief from the licensing provisions for the smaller retailers and frozen food brokers. In view of the inflation of values which has taken place since 1962, it is proposed that the exemption for these two groups be raised from \$90,000 to \$100,000.

Mr. Speaker, this is essentially an administrative housekeeping bill necessary to permit continued operation of the machinery of the U.S. Department of Agriculture in administering the Perishable Agricultural Commodities Act. Testimony before our domestic marketing and consumer relations subcommittee was predominately favorable toward this legislation, both from the U.S. Department of Agriculture and from the affected industry. The industry needs and appreciates the services provided under the PACA Act, Mr. Speaker, and is willing to pay for them. I urge my colleagues to approve this bill.

(Mr. FOLEY asked and was given permission to extend his remarks at this point in the RECORD.)

[Mr. FOLEY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EVERGLADES NATIONAL PARK, FLA.

The Clerk called the bill (S. 2564) to amend the act fixing the boundary of Everglades National Park, Fla., and authorizing the acquisition of land therein, in order to authorize an additional amount for the acquisition of certain lands for such park.

There being no objection, the Clerk read the bill, as follows:

S. 2564

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8 of the Act entitled "An Act to fix the boundary of Everglades National Park, Florida, to authorize the Secretary of the Interior to acquire land therein and to provide for the transfer of certain land not included within said boundary, and for other purposes", is amended by inserting "(a)" after "Sec. 8.", and by inserting at the end of such section a new subsection as follows:

"(b) In addition to the amount authorized in subsection (a) of this section there is authorized to be appropriated such amount,

not in excess of \$800,000, as is necessary for the acquisition, in accordance with the provisions of this Act, of the following described privately owned lands:

"Sections 3, 4, and 5; section 6, less the west half of the northwest quarter; sections 7, 8, 9, and 10; north half of section 15; and sections 17 and 18, all in township 59 south, range 37 east, Tallahassee meridian."

With the following committee amendments:

On page 1, line 7: Strike the second comma and insert (72 Stat. 280, 286; 16 U.S.C. 410 p).

On page 2, line 3: Strike out "\$800,000," and insert in lieu thereof \$700,200.

The committee amendments were agreed to.

(Mr. ASPINALL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. ASPINALL. Mr. Speaker, S. 2564, as recommended by the Committee on Interior and Insular Affairs, authorizes the appropriation of \$700,200 for the acquisition of certain lands within the Everglades National Park.

At the present time, the National Park Service holds an option on 6,640 acres of land known as the Flagler tract, but it has expended all of the funds authorized to be appropriated and is not in position to complete the transaction without this additional authority.

The Flagler tract is a critical piece of private property within the Everglades National Park. It is located in the area where fresh water drains from the north through the glades and sloughs to Florida Bay. The elevation of this land is such that only a small effort would be necessary to make this land suitable for development which, if it occurs, would seriously impair the ecology of the region, jeopardize the wildlife that abounds in the area, and destroy the natural values for which the park was established by the Congress.

On the basis of the option, this land can be acquired for \$105 per acre. The entire cost will be \$697,200, plus \$3,000 for closing costs. Originally the 85th Congress authorized \$2 million for the acquisition of privately owned lands within the park boundaries, but all of that money has been appropriated and expended. Even after the acquisition contemplated by this legislation, nearly 68,000 acres of privately owned lands will remain unacquired. No funds are included in this legislation to make these acquisitions; consequently, further action by the Congress will be necessary if they are to be purchased.

In approving this legislation, the committee approved two amendments. The first is technical: it merely adds a citation for reference purposes. The other reduces the amount authorized to be appropriated from \$800,000 to \$700,200. In considering this amendment the committee concluded that the costs should be minimized by exercising the option before it expires and that in the interests of economy, the additional flexibility which would arise, given the higher figure, should be waived.

Mr. Speaker, the Department of the Interior recommends the enactment of this legislation and the Bureau of the Budget has advised that there is no ob-

jection to the presentation of this report from the standpoint of the administration's program, but I cannot honestly assure the Members of this House that the necessary funds will be promptly forthcoming. The Bureau of the Budget, unfortunately, will not advise, in advance, whether or not it will approve funds to give this authorization life. In approving this legislation, we are meeting our responsibility, but it remains to be seen whether or not the Bureau of the Budget will do its duty. I urge the Members of the House to approve S. 2564, as amended.

Mr. SAYLOR. Mr. Speaker, I rise in support of S. 2564, as amended, and wish to commend the gentleman from Florida (Mr. HALEY) for his sponsorship and work on this legislation.

S. 2564, as amended, authorizes the appropriation of \$700,200 for the acquisition of 6,640 acres of land now privately held within the boundaries of the Everglades National Park.

The importance of this legislation and acquisition of this land cannot be overstated. My colleagues will recall the controversy that has been nationwide over the possible destruction of the Everglades National Park through the plans of the Corps of Engineers and the proposal to build a jetport. The congressional mail has been full of pleas from the American people to save the Everglades National Park. S. 2564, as amended, will go a long way in forever preserving this magnificent piece of our American heritage.

The lands to be acquired through this authorization are the lifeline of water to the ecology, alligators, and wildlife that live in the natural environment of the Everglades National Park.

Mr. Speaker, I strongly urge the passage of this legislation as it truly preserves one of the few remaining natural areas of our American heritage.

GENERAL LEAVE TO EXTEND

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that any Member desiring to do so may be permitted to extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRANSFER OF PEANUT ACREAGE ALLOTMENTS

Mr. RYAN. Mr. Speaker, in regard to H.R. 14030, to amend section 358a(a) of the Agricultural Adjustment Act of 1938, as amended, to extend the authority to transfer peanut acreage allotments, I ask unanimous consent to withdraw my objection to consideration of the bill and ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

CALL OF THE HOUSE

Mr. STEIGER of Wisconsin. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ROSTENKOWSKI. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 201]

Abbutt	Downing	Mann
Adams	Dulski	Mathias
Albert	Edmondson	Michel
Anderson, Ill.	Edwards, Ala.	Mollohan
Anderson,	Edwards, La.	Moorhead
Tenn.	Esch	Morton
Berry	Fascell	Mosher
Boggs	Fish	Nelsen
Brock	Flynt	Nix
Brooks	Ford,	Pelly
Brown, Calif.	William D.	Powell
Brown, Mich.	Foreman	Rees
Burton, Utah	Frey	Reid, N.Y.
Cahill	Gettys	Rosenthal
Carey	Green, Pa.	Roudebush
Casey	Halpern	St. Onge
Celler	Hanna	Sandman
Chappell	Harrington	Scheuer
Chisholm	Hébert	Sikes
Clark	Holifield	Skubitz
Clausen,	Howard	Smith, Calif.
Don H.	Jacobs	Smith, N.Y.
Clay	Karth	Stephens
Colmer	King	Taylor
Corman	Kirwan	Teague, Tex.
Cowger	Kluczynski	Tunney
Cramer	Kuykendall	Vigorito
Cunningham	Landgrebe	Watkins
Davis, Ga.	Landrum	Weicker
Delaney	Leggett	Whalley
Dennis	Lipscomb	Wilson, Bob
Dent	Lujan	Yatron
Diggs	McDonald,	Young
Dorn	Mich.	

The SPEAKER pro tempore (Mr. Moss). On this rollcall 334 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

COINAGE ACT AMENDMENTS

Mr. PATMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 14127) to carry out the recommendations of the Joint Commission on the Coinage, and for other purposes, as amended.

The Clerk read as follows:

H.R. 14127

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. Section 101 of the Coinage Act of 1965 (31 U.S.C. 391) is amended to read as follows:

"Sec. 101. The Secretary may coin and issue one dollar pieces, half dollars or 50-cent pieces, quarter dollars or 25-cent pieces, and dimes or 10-cent pieces in such quantities as he may determine to be necessary to meet national needs. Any coin minted under authority of this section shall be a clad coin the weight of whose cladding is not less than 30 per centum of the weight of the entire coin, and which meets the following additional specifications:

"(1) The dollar shall have

"(A) a diameter of 1.500 inches;

"(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel; and

"(C) a core of copper such that the whole coin weighs 22.68 grams.

"(2) The half dollar that have

"(A) a diameter of 1.205 inches;

"(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel; and
 "(C) a core of copper such that the whole coin weighs 11.34 grams.

"(3) The quarter dollar shall have

"(A) a diameter of 0.955 inch;

"(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel; and
 "(C) a core of copper such that the weight of the whole coin is 5.67 grams.

"(4) The dime shall have

"(A) a diameter of 0.705 inch;

"(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel; and
 "(C) a core of copper such that the weight of the whole coin is 2.268 grams."

Sec. 2. Half dollars as authorized under section 101(a)(1) of the Coinage Act of 1965 as in effect prior to the enactment of this Act may, in the discretion of the Secretary of the Treasury, continue to be minted until January 1, 1971.

Sec. 3. (a) The Secretary of the Treasury is authorized to transfer, as an accountable advance and at their face value, the approximately three million silver dollars now held in the Treasury to the Administrator of General Services. The Administrator is authorized to offer these coins to the public in the manner recommended by the Joint Commission on the Coinage at its meeting on May 12, 1969. The Administrator shall repay the accountable advance in the amount of that face value out of the proceeds of and at the time of the public sale of the silver dollars. Any proceeds received as a result of the public sale in excess of the face value of these coins shall be covered into the Treasury as miscellaneous receipts.

(b) There are authorized to be appropriated, to remain available until expended, such amounts as may be necessary to carry out the purposes of this section.

Sec. 4. Section 4 of the Act of June 24, 1967 (Public Law 90-29; 31 U.S.C. 405a-1 note) is amended by adding at the end thereof the following new sentence: "Out of the proceeds of and at the time of any sale of silver transferred pursuant to this Act, the Treasury Department shall be paid \$1.-292929292 for each fine troy ounce."

Sec. 5. Section 3513 of the Revised Statutes (31 U.S.C. 316) is repealed.

The SPEAKER pro tempore. Is a second demanded?

Mr. WIDNALL. Mr. Speaker, I demand a second.

Mr. GROSS. Mr. Speaker, I am opposed to the bill and I demand a second.

The SPEAKER pro tempore. Is the gentleman from New Jersey opposed to the bill?

Mr. WIDNALL. Mr. Speaker, I am not opposed to the bill.

The SPEAKER pro tempore. By the rules of the House, the gentleman from Iowa, who is opposed to the bill, demands a second.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

(Mr. PATMAN asked and was given permission to revise and extend his remarks and include extraneous matter.)

Mr. PATMAN. Mr. Speaker, H.R. 14127 would give the Secretary of the Treasury authority to mint a nonsilver cupronickel half dollar and a nonsilver cupronickel dollar coin bearing the portrait of President Eisenhower. The bill would also direct the transfer of the last 2.9 million rare silver dollars now held in the Treas-

ury to the GSA for sale to the public in a fair and equitable manner. The prompt enactment of this bill would both contribute to a more effective coinage system and make it possible for us to honor a great American.

The authority in the bill to mint a nonsilver half dollar, I believe, is long overdue. Despite the fact that nearly 1 1/4 billion half dollars containing silver have been minted since 1963, this coin is rarely seen in circulation. For the past several years American business has been deprived of a half dollar in adequate circulation for trading needs. As quickly as these coins have been minted they have simply disappeared into private hoards. It is time that the Congress authorize the production of a half dollar that will actually circulate to meet the needs of American business. The enactment of H.R. 14127 will accomplish this purpose.

H.R. 14127 also authorizes the Secretary of the Treasury to mint a cupronickel dollar coin bearing the portrait of President Eisenhower. I think this would be a fitting tribute to a great American. Now, there are those who assert that placing the portrait of President Eisenhower on a coin minted of silver would be an even greater tribute. I would first point out that the composition of the coin neither adds nor detracts from the status of other Presidents on our American coins. But apart from this there are solid reasons why it would be most unwise to use all of our remaining surplus silver for minting a single coin. Let me list a few reasons why I believe a cupronickel coin rather than one made of silver is in the public interest.

First, a nonsilver dollar coin would mean a far greater monetary return to the Federal Government than a silver coin. The Treasury has estimated that the total seigniorage in revenue under the provisions of H.R. 14127 in the first year after enactment could exceed \$500 million. This income would reduce the Government's borrowing needs by an equivalent amount.

Moreover, to use our remaining surplus silver for coinage instead of sale through open competitive bidding would mean depriving private industry of about 100 million ounces of silver in 1970. If the Treasury's remaining surplus is used for coinage rather than sold under competitive bids, American industry will have to greatly step up its imports to fill this gap. The resulting adverse effects on the balance of payments next year could be as much as \$150 million.

A third disadvantage for using our surplus silver for dollar coins would be the almost certain higher prices for major consumer products that would result. The halting of Treasury silver sales would probably mean a sharp rise in the silver price. This would mean higher costs to millions of consumers of film and electrical products which are the principal industrial uses of silver. It should be realized that the ultimate use of silver includes virtually the entire American public.

And finally I would point out that the provisions of H.R. 14127 have been fully endorsed by the Joint Commission on the Coinage, a nonpartisan body established

by law to advise the President and the Congress on silver and coinage matters.

In summary, the enactment of H.R. 14127 is strongly in the public interest because it would give the economy the coins it needs, honor a great American, help our balance of payments, reduce the Government's borrowing needs and the public debt, and contribute to the fight against inflation.

Mrs. SULLIVAN. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentlewoman from Missouri.

(Mrs. SULLIVAN asked and was given permission to revise and extend her remarks.)

Mrs. SULLIVAN. Mr. Speaker, I favor the bill as reported to the House, including the amendment offered by the gentlewoman from New Jersey, Congresswoman DWYER, in committee to direct that the \$1 coin authorized for minting by this legislation bear the likeness of the late President Dwight D. Eisenhower. Mrs. DWYER was among the first, if not the first, to propose in legislative form that the nonsilver dollar coin proposed by the Joint Commission on the Coinage be officially designated by Congress as one honoring the late President and General of the Armies.

There is nothing in the bill as reported to which I object. I had intended offering an amendment in committee to provide better machinery for the distribution of proof sets by the Treasury, so that the individual hobbyists can have a more equal opportunity to obtain at least one of these sets each year rather than continue the system which seems to permit dealers an inside track to these much-desired numismatic specimens. My amendment could not be offered in the committee and there is no way it can be offered now under the parliamentary situation in effect on the House floor. But I think this situation must be taken up and reformed. So it is my intention to offer separate legislation on this point. If we are to continue to have proof sets as numismatic specimen coins, then it was my thought also that the Secretary of the Treasury be given some leeway in determining the metals or combination of metals to be used in the proof sets.

Under this bill, the proof sets will have to be made of exactly the same materials as the circulating coins, and they are not as attractive as they would be and should be, if they contained perhaps a thin coating of silver or other bright metal—perhaps columbium.

Mr. Speaker, I am deeply disturbed over one decision made by the Joint Commission of the Coinage, at the urging of Secretary of the Treasury Kennedy, which is not reflected in this bill. It has to do with the ban which had been in effect from enactment of the Coinage Act of 1965 until last May—the ban on the melting or export of silver coins.

Under the chairmanship of the previous Secretary of the Treasury, the Joint Commission on the Coinage last December voted not only to continue this ban on melting or export of silver coins, but to make it permanent by law so that it would be unlawful, ever, to melt or export silver coins. The bill originally introduced

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(FOR INFORMATION ONLY;
NOT TO BE QUOTED OR CITED)

Issued October 21, 1969
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HIGHLIGHTS. Senate reconsidered and passed potato research and promotion bill. House passed peanut acreage allotments bill. Rep. Bingham and others introduced and Rep. Bingham discussed bill to terminate S. Africa sugar quota.

SENATE

1. LANDS. Passed with amendment H. R. 9946, to authorize and direct the Secretary of Agriculture to quitclaim retained rights in certain tracts of land to the Board of Education of Lee County, S. C. p. S12774

SENATE

2. POTATOES. Reconsidered and passed as reported S. 1181, to enable potato growers to finance a nationally coordinated research and promotion program to improve their competitive position and expand their markets for potatoes by increasing consumer acceptance of such potatoes and potato products and by improving the quality of potatoes and potato products that are made available to the consumer. pp. S12774-7
3. APPROPRIATIONS. Began consideration of H. R. 13763, the 1970 legislative branch appropriation bill. p. S12830
4. FUTURE FARMERS. Sen. Murphy expressed pride in the Calif. delegation of Future Farmers visiting Washington last week. p. S12780
5. INFLATION. Sen. Griffin inserted the text of the radio address by the President on the rising cost of living. pp. S12782-4
6. ELECTRIFICATION. Received from this Department a report on the approval of a loan to the Golden Valley Electric Association, Inc., of Fairbanks, Alaska. p. S12785
7. PROPERTY. Received from Transportation a proposed bill to authorize and foster joint rates for international transportation of property, to facilitate the transportation of such property; to the Commerce Committee. pp. S12785-6
8. EDUCATION. Sen. Murphy inserted an editorial supporting his proposed Urban and Rural Education Act of 1969. p. S12791
9. CONSUMERS. Sen. Tydings inserted an article which pays tribute to a constituent for the contribution he has made to the consumer cooperative movement. pp. S12812-3

HOUSE

10. PEANUT ACREAGE. Passed under suspension of the rules, H. R. 14030, to amend section 358a (a) of the Agricultural Adjustment Act of 1938, as amended, to extend for 1 year the authority originally granted 2 years ago in Public Law 90-211 for farmers to transfer peanut acreage allotments to each other within their own county (pp. H9708-12). The bill had been passed over earlier **without prejudice** (p. H9702).
11. WATERSHEDS. The "Daily Digest" states that the Subcommittee on Conservation and Credit, H. Agriculture Committee approved for full committee action five watershed projects. p. D960
12. FAMILY ASSISTANCE. Rep. MacGregor praised the Administration's proposed family assistance plan. p. H9723
13. EDUCATION; HEALTH. Received from HEW a draft bill to extend for an additional period the authority to make formula grants to schools of public health; **to Interstate and Foreign Commerce Committee.** p. H9731

AUTHORIZING THE DISPOSAL OF CERTAIN REAL PROPERTY IN THE CHICKAMAUGA AND CHATTANOOGA NATIONAL MILITARY PARK, GA., UNDER THE FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

The Clerk called the bill (H.R. 9163) to authorize the disposal of certain real property in the Chickamauga and Chattanooga National Military Park, Ga., under the Federal Property and Administrative Services Act of 1949.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. HALL. Mr. Speaker, reserving the right to object, I would like to determine why this apparently surplus area and probably of remote historic association and tenuous accessibility to the Chickamauga and Chattanooga National Military Park, and is not simply declared surplus and is to be disposed of in this manner, as prescribed.

Mr. ASPINALL. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am glad to yield to the gentleman.

Mr. ASPINALL. This is just a very small area of land administered by the National Park Service. It came to the Park Service when the military made the whole transfer on it, an area that is attached to the other area as if it were just a square area attached at the corner. It was used in military days for the gathering of wood in order to keep soldiers who occupied the area warm, and for cooking purposes. It no longer is needed. At the present time the people involved in Georgia are willing to let it go through the usual procedures, relative to the disposal of surplus property, with the understanding that undoubtedly it will be the county or school district that will be able to get the land. There is a highway at the present time that is running through one corner of the land. This will be a wonderful place for an educational center. They told the committee, and they made a good record, for school development in that particular area.

They are taking their chances that nobody else is going to pick it up, and that it will be used for governmental purposes.

That does not answer the gentleman's question as to why it should not be transferred another way, but it should go this way in our opinion for the simple reason that its value for school purposes is such that we should give cognizance to the area which is worth very little so far as the Park Service is concerned. It might be more valuable if it were to be used for residential purposes.

The gentleman from Georgia (Mr. DAVIS) is present, and he may wish to say more if the gentleman will yield.

Mr. HALL. Mr. Speaker, I appreciate the distinguished chairman's reassurance, but that is my very point.

As we all know, under the laws of this land and the regulations implementing the same, the GSA, in turn, makes surplus property available to other Federal agencies, educational organizations at the Federal and State level, and others are given priorities in the acquisition of surplus lands. If the gentleman is so

sure that the educational people will get it anyway and that it will be used for this purpose, then I still do not know why we have a special bill on the Consent Calendar for that purpose.

Mr. ASPINALL. If my colleague will yield again. It is apparent that I did not understand my colleague's question. This is the one way that this land, which is a part of the National Park Service, can be disposed of. National park areas are inviolate within themselves. They do not come under the provisions of the Surplus Property Act of the United States.

Mr. DAVIS of Georgia. Mr. Speaker, will the gentleman yield?

Mr. HALL. I thank the gentleman from Colorado, and I yield to the gentleman from Georgia.

Mr. DAVIS of Georgia. I thank the gentleman. I would simply like to point out to the gentleman that the Park Service has made the point that they are not in the business, of course, of educating children. I see their point. That is my purpose, though, actually.

The background of this bill is the fact that we have a situation in Catoosa County, which is across the borderline of the State of Tennessee in the suburbs of Chattanooga. It has a very low tax base. It is under the obligation of educating many, many children in a so-called bedroom county. It occurred to me that the best way to make an educational center out of this land would be to throw this over into the regular GSA disposal procedures. It so happens that the Park Service does not dispose of its land in that way.

But it is a fair procedure, and under the GSA disposal of surplus property procedures all of the Federal agencies are first canvassed, and then State agencies are canvassed. If none of those agencies express interest in the land, then it becomes the prerogative of the county to take up the land.

It is still public land and it is still people you are dealing with. It is still completely public. There is no private interest that has any interest in this at all.

This is a county that deserves this consideration and needs it quite badly.

While the bill passed the House last year, it did not pass the Senate. So I had to reintroduce it this year. It came out of the distinguished chairman's committee unanimously.

I think it is a good bill. I think it serves a good purpose. I would hope that the gentleman would not object to it.

Mr. HALL. Mr. Speaker, I appreciate the gentleman's forthright statement. I wonder if he would assure me that this land will not fall into the hands of entrepreneurs or those who would profit excessively or speculate on this land if it is allowed to go the development or housing route?

Mr. DAVIS of Georgia. May I say this in that connection, that I had to fight off a situation that might have led down that avenue last year, and I can assure you that such a thing is completely blocked out. It has been successfully stiff-armed, if I may use that word.

Mr. HALL. Mr. Speaker, I again say I appreciate the gentleman's forthright reassurance.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding.

Mr. Speaker, the facts are that this land was bought by the Federal Government many years ago. It involves not a very substantial financial consideration, but this bill ought to have in it two provisions: It ought to have provided for the fair market value of the land, and that payment be made at the fair market value; and it ought to have had a reverter clause in it. In other words, if the land is not used for the public purpose for which it was turned over, then it should revert to the Federal Government. I am a little surprised that the committee did not insert both provisions in the bill.

I say again, Mr. Speaker, that I am not going to make an issue of it because I think the land will be used for a worthy public purpose. I do hope that the committee will keep this transaction in mind, and if the land is turned over by the State to private investors, the committee will then move to recapture the land.

Mr. HALL. Mr. Speaker, I thank the distinguished gentleman from Iowa. His thinking is parallel to my own.

Mr. DAVIS of Georgia. Mr. Speaker, will the gentleman yield?

Mr. HALL. Mr. Speaker, further reserving the right to object, I yield to the gentleman from Georgia.

Mr. DAVIS of Georgia. Mr. Speaker, I offer one comment to complete the record. The bill as it stands before this House at this time provides that the land shall be devoted to public purposes. I would like also to say, as a member of the bar of Georgia, and in practice for about 30 years, I think it is extremely unlikely, and I do not think it is even practical under our laws to divert public land to private use without giving the public a chance at it—in other words, a refusal. I do not conceive that this would ever happen. Our State board of education and our county board of education in this particular instance plan to make an educational center out of this tract of land. I can assure my colleagues that this will happen.

Mr. HALL. Mr. Speaker, again the gentleman's words are very reassuring. However, it is the duty of those who must pass on the unanimous-consent bills to be eternally vigilant because such things have happened in the past and can be easily cited.

Mr. Speaker, I appreciate the explanation by the distinguished chairman of the committee, and I am reassured. I appreciate the statement of the gentleman from Georgia, and I withdraw my reservation of objection.

(Mr. ASPINALL asked and was given permission to extend his remarks at this point in the Record.)

Mr. ASPINALL. Mr. Speaker, the Subcommittee on National Parks and Recreation conducted hearings on H.R. 9163 which was introduced by our colleague, the gentleman from Georgia (Mr. DAVIS). The Department of the Interior indicated that it had no objection to its enactment and no one appeared in opposition to it.

In essence, this bill authorizes the Secretary of the Interior to declare a tract of land, totaling approximately 155.46 acres, as excess to the needs of the Department at the Chickamauga and Chattanooga National Military Park. Part of this park is located in the State of Tennessee, but the tract of land involved is located in the State of Georgia.

The committee was advised that the property is not used in connection with the national military park and that its historical connection with the historic battle which took place there is remote. We were told that it poses some administrative problems for the national park system.

The property was originally acquired by the War Department in 1898, when it administered the area, but its location has never been conducive to development for any park purpose. Since the lands reserved for, or dedicated to, national park purposes cannot be disposed of without congressional approval, the enactment of H.R. 9163 is necessary in order to subject the property in question to the usual procedures for the disposal of surplus property.

Mr. Speaker, as chairman of the Committee on Interior and Insular Affairs, I recommend the approval of H.R. 9163.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 9163

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding section 3(d) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 472(d)), the Secretary of the Interior may designate as excess property under that Act lot 94 in the ninth district and fourth section of Catoosa County, Georgia, the same consisting of one hundred and sixty acres, more or less, in the Chickamauga battlefield section of the Chickamauga and Chattanooga National Military Park in the State of Georgia, and such lot shall be utilized or disposed of by the Administrator of General Services in accordance with the remaining provisions of such Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. This concludes the call of the Consent Calendar.

CALL OF THE HOUSE

Mr. WYDLER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 234]

Adair	Eckhardt	Matsunaga
Addabbo	Edwards, Ala.	Mills
Anderson, Ill.	Fallon	Monagan
Andrews,	Fascell	Moorhead
N. Dak.	Findley	Morton
Arends	Fish	Murphy, Ill.
Ashbrook	Fisher	Murphy, N.Y.
Ashley	Flynt	Nix
Baring	Fountain	O'Konski
Beall, Md.	Frelinghuysen	Passman
Bevill	Gallagher	Pepper
Blaggi	Gibbons	Philbin
Blatnik	Goldwater	Pollock
Brademas	Gray	Powell
Brasco	Griffin	Purcell
Brock	Griffiths	Quie
Brooks	Hagan	Rees
Brown, Calif.	Halpern	Reid, N.Y.
Brown, Ohio	Harrington	Relfel
Broyhill, Va.	Harsha	Rivers
Burton, Utah	Hays	Rodino
Bush	Hogan	Rosenthal
Cahill	Howard	Rostenkowski
Camp	Jacobs	Roudebush
Carey	Jarman	St. Onge
Celler	Jonas	Sandman
Clark	Jones, N.C.	Sikes
Clausen,	Jones, Tenn.	Sisk
Don H.	Kirwan	Smith, Iowa
Clawson, Del.	Kluczynski	Stubblefield
Clay	Koch	Taft
Cante	Landgrebe	Teague, Tex.
Corbett	Landrum	Thomson, Wis.
Corman	Long, La.	Ullman
Cowger	Lowenstein	Utt
Cramer	Lukens	Watkins
Culver	McCarthy	Whalley
Dawson	McClure	Wigging
Dent	McCulloch	Wilson,
Devine	McDonald,	Charles H.
Diggs	Mich.	Wynn
Dingell	McEwen	Wold
Donohue	Mailliard	Wright
Dorn	Martin	
Downing	Matinas	

The SPEAKER. On this rollcall 302 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PRESIDENT NIXON'S STRONG ACTION ON INFLATION

(Mr. WYATT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WYATT. Mr. Speaker, last week I made an appeal to the administration to take a different direction, and more aggressive action in connection with the war on inflation. Since then, President Nixon has made a forceful appeal to the nation by radio, and by letter to the business community. I commend the President for his strong leadership. I would also urge once more that the very serious consideration be given to the other suggestions I made for remedial action, and specifically for relief of the home building industry.

Essential, if we are to avoid over-reaction around the first of this coming year, is a change in the monetary policy of the Federal Reserve Board. This would seem to be our very most serious immediate problem. The reduction of the increase in the money supply to near zero may already contain the seeds of disaster for us after the first of the year, even if changed now. The return to the

policy of gradualism, adopted by the Federal reserve shortly after the first of this year is an absolute must if we are to avoid a real serious situation this coming spring.

TRANSFER OF PEANUT ACREAGE ALLOTMENTS

Mr. O'NEAL of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 14030) to amend section 358a(a) of the Agricultural Adjustment Act of 1938, as amended, to extend the authority to transfer peanut acreage allotments.

The Clerk read as follows:

H.R. 14030

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 358a(a) of the Agricultural Adjustment Act of 1938, as amended, is amended by changing "and 1969" to read "1969, and 1970".

The SPEAKER. Is a second demanded? Mr. BELCHER. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Georgia is recognized for 20 minutes.

(Mr. O'NEAL of Georgia asked and was given permission to revise and extend his remarks.)

Mr. O'NEAL of Georgia. Mr. Speaker, this lil' ol' bill simply extends for 1 year the authority originally granted 2 years ago in Public Law 90-211 for farmers to transfer peanut acreage allotments to each other within their own county.

It was before the House 2 weeks ago on the Consent Calendar. At that time the gentleman from New York (Mr. RYAN) asked that the bill be passed over without prejudice. It is now on the Suspension Calendar, where it quite properly belongs, because the time of the House should not be taken up with a rule on a simple 1-year extension of an act that was debated and approved overwhelmingly by the House 2 years ago.

H.R. 14030 has the approval of the Department of Agriculture, the Bureau of the Budget, and the House Committee on Agriculture. Enactment of this measure will not result in any expense to the Government, nor will it add anything to consumer cost.

Many of my colleagues will recall that authorization to transfer peanut allotments was originally granted by the Congress for a 2-year period in 1967.

The present law has met with nearly unanimous approval throughout the peanut industry in every geographical area. I do not personally know of anyone in the peanut industry who opposes the right of farmers to transfer acreage allotments as long as the present tight restrictions remain in effect.

This legislation is needed primarily to permit farmers to increase the size of

their allotment in order to realize a more reasonable return of their considerable investments. There are many peanut acreage allotments too small to constitute an economic unit in view of rising production and harvesting costs.

The Department of Agriculture reports that more than one-fourth of all peanut allotments are 5 acres or less and more than one-half are 10 acres or less. The average size of established allotments is approximately 18 acres.

Problems connected with small allotments become more serious each year as production costs per acre continue to increase. A farmer with an allotment of 5 acres must use the same type expensive equipment, herbicides, and improved methods of cultivation as a farmer with 100 acres.

This bill permits some small but capable farmers to become a little more efficient by increasing their allotments while others, who wish to discontinue growing peanuts, could transfer their resources to other crops or retire from peanut production entirely and still receive a small remuneration.

My primary interest in introducing the original legislation was to allow a new grower to acquire an allotment without increasing the national allotment by a single acre. This legislation permits a new grower to obtain an allotment up to 50 acres through lease or outright purchase. This, of course, presents a golden opportunity to the young man who decides on a career in agriculture or to the sharecropper who has long dreamed of owning a farm, but who did not inherit an allotment.

The committee feels that the authority to lease, sell, or transfer peanut acreage allotments should continue, as in 1968 and 1969, to be accompanied by language in the legislation which would guard against any speculation or overproduction which might otherwise result from this authority. Therefore, the committee left unchanged the following conditions:

First. Under no condition may allotments be transferred across county lines.

Second. No allotment may be transferred from a farm subject to a mortgage or lien unless the transfer is agreed to by the lienholders.

Third. No sale of a farm allotment from a farm shall be permitted if any sale of allotments to the same farm has been made within the three immediate preceding crop years.

Fourth. No transfer of allotment shall be effective until a record thereof is filed with the county committee of the county in which the transfer is made and until the county committee determines that the transfer complies with the provisions of the law.

Fifth. If there is not more than a 10-percent difference in production per acre, transfers shall be on the basis of acre for acre; however, in cases where the transferred acreage goes to a farm where the production per acre exceeds that of the transferred acreage by more than 10 percent, there shall be a corresponding downward adjustment in the amount of acreage transferred to assure that no overproduction would result from the transfer.

Sixth. Where an allotment is transferred to a farm which at the present time is not irrigated but which within 5 years places the transferred allotment under irrigation, the Secretary of Agriculture shall then make a downward adjustment in the amount of acreage transferred to assure that there would be no increased production as a result of irrigating the transferred acreage.

Seventh. The land on the farm from which the entire peanut allotment has been transferred shall not be eligible for a new farm peanut allotment during the 5 years following the year in which such transfer is made.

Eighth. Leases of any portion of a peanut allotment shall not exceed 5 years.

Ninth. The total peanut allotment transferred to any farm by sale or lease shall not exceed 50 acres or any lesser amount prescribed by the Secretary.

H.R. 14030 does not modify any of the conditions imposed by the original legislation. The only change being proposed is to extend the transfer authority for 1 year.

Peanut farming has undergone very great changes in recent years.

When the present allotments were required in 1949, nearly all of the harvesting was done by hand labor using pitchforks to pile the newly plowed vines and nuts in stacks, so that the wind and sunshine would dry them in a process that might take many weeks.

Now the labor is scarce and the stacks are nonexistent.

Virtually every peanut farmer in America uses a windrow process that requires expensive machinery, and as a result an investment is required of many thousands of dollars.

The same allotment useful to the farm with labor in the family or nearby is "gone with the wind."

The farmer either has to buy this machinery himself or pay someone else who has brought the machinery.

So, he has virtually the same cost of harvesting 20 acres as he would 50 acres.

If this bill becomes law, it will not cause an increase in production. Extreme care has been taken to write in it language that will not cause it, but it will bring about a general reduction in costs per acre.

It will not affect the national volume, but it will permit a net profit to the individual farmer by merely reducing his cost per acre.

Many of these allotments are held by people who have inherited them with the land, but who do not farm them. They rent out the land and the allotment to active farmers who buy the big machines but who have no security because of changing whims of landlords affected by changing agriculture programs such as soil bank and cropland adjustment programs.

This will enable this man who was born 20 years too late to buy into his security by owning the allotment along with the machinery he has to invest in.

The provisions of this bill are virtually parallel with those of a bill permitting the sale and lease of cotton allotments—passed in 1965 by the 89th Congress.

And parallel with the provisions of a

bill passed by the 90th Congress with reference to two or three types of tobacco.

The only difference is that this bill regarding peanuts is more restrictive—the committee recognizing clearly that the problems of commodities are different.

Mr. KYL. Mr. Speaker, will the gentleman yield?

Mr. O'NEAL of Georgia. I am glad to yield to the gentleman from Iowa.

Mr. KYL. I thank the gentleman for yielding so that I might ask a couple of questions.

Suppose farmer Brown sells his right to produce the peanuts. What does he then use his ground for? Can he plant corn or soybeans?

Mr. O'NEAL of Georgia. For general farm purposes, if he uses it for anything. He might want to put it into that. He might put it into corn or some other crop he is able to put it in under the law.

Mr. KYL. On page 3 of the report one of the supposed benefits of the bill is: "at the same time it guards against any major geographical switch in peanut production which would undoubtedly be injurious to the economy of many counties."

The really serious question I have about this legislation—and I am not opposing it at this point—is this: This man takes his peanut production right and sells it, and then he plants, say corn on his entire farm. Is there any difference between injuring a southern farmer by transferring the right to produce peanuts geographically and injuring a mid-west farmer by transferring the production of corn to the South.

Mr. O'NEAL of Georgia. I will say to the gentleman, if he plants corn it probably would replace the corn for the farm that took the peanut allotment. This thing cannot cross county lines. I would say there would be no danger of any violence being done to the production of other commodities.

Mr. KYL. Mr. Speaker, will the gentleman yield for a further question?

Mr. O'NEAL of Georgia. I yield.

Mr. KYL. In the case when the farmer gives up his right to produce peanuts, can he immediately, after having been paid for relinquishing the prior right, go into another Government price support program on the same land producing a different crop?

Mr. O'NEAL of Georgia. The only thing I would say in that connection is he would have the regular restrictions on going into other Government-paid crops already existing. There would be no change there.

Mr. KYL. But he could, as a matter of fact, go into the production of other price-supported crops.

Mr. O'NEAL of Georgia. If there is some way to get in, yes.

Mr. KYL. And we assume that there would be a way to get in.

Mr. O'NEAL of Georgia. There might be. We understand that the same thing we deal with here has a precedent in respect to cotton and tobacco already.

Mr. KYL. I thank the gentleman.

Mr. FOUNTAIN. Mr. Speaker, will the gentleman yield?

Mr. O'NEAL of Georgia. I yield to the gentleman from North Carolina.

Mr. FOUNTAIN. Is it not true that if he should get into some other controlled commodity production he would still have to keep within whatever allotment there is, so there would not be an increase?

Mr. O'NEAL of Georgia. Certainly. He would have to comply with all the regulations of the new commodity he planted.

Mr. FOUNTAIN. I thank the gentleman.

Mr. THOMPSON of Georgia. Mr. Speaker, will the gentleman yield?

Mr. O'NEAL of Georgia. I yield to the gentleman from Georgia.

Mr. THOMPSON of Georgia. Will this in any way increase the peanut allotment in any particular county?

Mr. O'NEAL of Georgia. It cannot possibly.

Mr. THOMPSON of Georgia. Will it decrease the peanut allotment?

Mr. O'NEAL of Georgia. I say it cannot possibly increase it. It is not likely to decrease it, because I do not believe anybody would be foolish enough to buy a peanut allotment to go on an unproductive farm.

Mr. THOMPSON of Georgia. May I ask a further question? If a farmer has part of his land in peanuts and part in some other commodity such as cotton, he could still participate in the cotton program?

Mr. O'NEAL of Georgia. Yes, indeed.

Mr. THOMPSON of Georgia. This would not change that?

Mr. O'NEAL of Georgia. This would not affect that at all.

Mr. STEED. Mr. Speaker, will the gentleman yield?

Mr. O'NEAL of Georgia. I yield to the gentleman from Oklahoma.

Mr. STEED. As the gentleman knows, one of the major crops in my district is peanuts. I have had an opportunity to observe the operation of this program.

I believe it is important to point out that this is a program which benefits almost entirely the very small farmers involved in peanut production. While it does provide an advantage to a large number of farmers, the number of acres involved is comparatively small, when compared to the whole peanut program. Without this advantage all the farmers involved in this program are the ones who will have to suffer.

Mr. O'NEAL of Georgia. It just permits them to be a little more efficient.

Mr. STEED. That is right.

Mr. O'NEAL of Georgia. It does not cost the Government anything. It does not add anything to the price of peanuts but just lets the little farmer become a little bit more efficient.

Mr. STEED. And because there is so much expense involved in peanut production and harvesting it makes it economically unsound for a farmer with a very small acreage to operate on the basis of price. By pooling together it becomes a good central economic operation for the farmer.

Mr. O'NEAL of Georgia. The gentleman is exactly right.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. O'NEAL of Georgia. I am happy and honored to yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I desire to associate myself with the remarks of my colleagues and those of the gentleman from Georgia.

Peanuts are grown in a number of counties in my district. We have heard a lot recently about large payments to farmers. I do not think there is one large peanut farmer in my entire section of the country and I doubt that there are any very large ones anywhere in the United States. These are basically family-type farms. They need to have some flexibility in transferring allotments in order that they may profitably buy their equipment and harvest their crops.

I think the bill called up by the gentleman from Georgia has merit, and I hope that other Members will believe likewise.

Mr. O'NEAL of Georgia. I want to thank the majority leader from the bottom of my heart.

Mr. ANDREWS of Alabama. Mr. Speaker, will the gentleman yield?

Mr. O'NEAL of Georgia. Yes, I am happy to yield to the distinguished gentleman from Alabama.

Mr. ANDREWS of Alabama. Mr. Speaker, I want to commend the gentleman from Georgia for the fine effort he has made over the years here for the peanut farmer. The gentleman in the well has the privilege of representing one of the big peanut-producing districts of this country. His district neighbors mine, and my district is a big peanut-producing district.

The gentleman is correct in saying that this will not add to the total amount of peanuts produced nor will it add to the price. As pointed out by the distinguished gentleman from Oklahoma, most peanut farmers are small family-type farmers.

This legislation will serve a good purpose.

Again I wish to commend the gentleman for the untiring effort he has shown on the part of the peanut farmer throughout the years he has been in Congress. He is one of the best friends that the peanut farmer has.

Mr. O'NEAL of Georgia. I thank the gentleman.

Mr. Speaker, this bill does no violence whatsoever to any aspect of the program. I hope that the House will let us have it for 1 more year through this bill.

Mr. STEIGER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. O'NEAL of Georgia. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. Mr. Speaker, I appreciate the distinguished gentleman from Georgia yielding to me.

I opposed this bill the last time it was voted on. I have listened with interest to the debate and have reviewed the report. In the committee report on page 2 it says that the size of the allotments, when they were first established, in 1941, was based on the producer's production during the previous 3-year history of production on the farm. My question is whether or not the 3-year basis still con-

tinues in the allotments under consideration in this bill.

Mr. O'NEAL of Georgia. I think the allotments that people now have are based on that 3-year period. Yes, sir.

Mr. STEIGER of Wisconsin. Given that fact, may I say to the gentleman from Georgia that by extending the transfer allotment concept for 1970, we have then, am I correct, extended it for a 3-year period, for the crop years 1968, 1969, and 1970, so a new allotment then is based on the past 3-year history, which would perhaps even increase the allotment available to those farmers who have had peanut acreage allotments transferred to them?

Mr. O'NEAL of Georgia. I do not know that I understand the gentleman's point. Any allotment anyone has now is based on a 3-year period of some 25 or 30 years ago, but nobody anticipates, that I know of, a reshuffling of the deck at any time after this comes up.

Mr. STEIGER of Wisconsin. Mr. Speaker, if the gentleman will yield further, am I correct that the Acting Secretary of Agriculture, Mr. J. Phil Campbell, indicates that a 1-year extension would give them an opportunity for evaluating the overall effectiveness and desirability of the transfer authority for all allotment crops, peanuts included?

Mr. O'NEAL of Georgia. I think they should study all of these commodities whatever they may be and then make recommendations affirmatively for one or in the negative for another. This is something that has to be studied. This is the reason for asking for a 1-year extension. My original bill asked to make it permanent. I think it was a good bill. It has worked wonderfully well. It has not done any damage in any way. But I could not get a permanent program recommended by the Secretary. The Secretary says let us have a 1-year bill. The same could be said about these other commodities.

Mr. STEIGER of Wisconsin. I thank the gentleman for yielding and because this program is now underway and has operated well shall support the limited extension.

Mr. O'NEAL of Georgia. I thank the gentleman from Wisconsin for his comments.

Mr. MILLER of Ohio. Mr. Speaker, will the gentleman yield?

Mr. O'NEAL of Georgia. I am happy to yield to my distinguished colleague from Ohio.

(Mr. MILLER of Ohio asked and was given permission to revise and extend his remarks.)

Mr. MILLER of Ohio. Mr. Speaker, I appreciate the gentleman from Georgia yielding. I am not opposed to the bill, but I do have a couple of questions.

As I understand the allotment it is really a license to grow peanuts?

Mr. O'NEAL of Georgia. That is what all allotments are, I suppose.

Mr. MILLER of Ohio. Mr. Speaker, if the gentleman will yield further, that is right. But would the gentleman tell me for what those allotments sell. In other words, if I wanted to buy an allotment that covered 1 acre for what would it sell?

Mr. O'NEAL of Georgia. I am sorry but I cannot answer the gentleman's question. I made considerable effort to find out the answer to that question but the Department of Agriculture would not require these people to state what they were paying. This would be difficult to do anyway because people do not like to report what they pay for land or anything else they buy. So, it is impossible for me to answer the gentleman's question. I do not know. I imagine, however, that it varies in different communities and counties.

Mr. MILLER of Ohio. Mr. Speaker, if the gentleman will yield further, on page 3 of the report with reference to item (7) there is stated:

The land on the farm from which the entire peanut allotment has been transferred shall not be eligible for a new farm peanut allotment during the 5 years following the year in which such transfer is made.

With the wording "entire peanut allotment has been transferred," does that mean if 1 acre was kept on that farm, then the transfers could be made back and forth and could that farm be used as a bank or exchange for an allotment broker?

Mr. O'NEAL of Georgia. The gentleman points out to me wording that I had not noticed before. I do not know how to interpret it. But I will say that there have been no complaints coming out of the Department of Agriculture in relation to this. I do not know why this wording is in here.

Mr. BELCHER. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania (Mr. GOODLING).

(Mr. GOODLING asked and was given permission to revise and extend his remarks.)

Mr. GOODLING. Mr. Speaker, first of all, I want to advise my good friend from Georgia that I am not rising to oppose his bill. I have asked for this time, however, to point out this one other phase of the Agricultural Act of 1965 which, in my opinion, is not working but is costing the taxpayers of America millions and millions of dollars.

Each day I receive—and I assume every member of the Committee on Agriculture receives—a daily summary from the USDA. I read this rather religiously. Early last spring I asked the Department to give me some answers on this particular question.

I have a letter here which was written on April 17, 1969, and I am going to mention tong oil here simply because it is written into this letter where I requested information on peanuts. I read as follows:

The Department acquired the tong oil about which you ask at a price of 24 cents per pound, excluding storage and handling charges. Competitive bids are invited twice monthly on 1 million pounds of CCC-owned tong oil. Sales prices on bids accepted recently have been a little over 12 cents per pound.

This occurs every month through the sale of surplus tong oil. This is in addition to storage and handling charges.

Now, I want to get on with the subject we are discussing, and that is peanuts.

August 6, 1969, USDA sells peanuts for domestic crushing or export. USDA announced the sale of 2,172,483 pounds of shelled and 1,500,000 pounds of farmers' stock peanuts for domestic crushing or export.

On August 13 the USDA announced the purchase of 229,320 cases, or 9,459,450 pounds of peanut butter.

I think it is safe to assume that the peanuts that were sold to the crushers was put into peanut butter and salad oil, and the CCC in turn comes along and buys the surplus.

On August 20 the USDA announced the sale of 2,172,483 pounds of shelled peanuts and 2 million pounds of farmers' stock peanuts for domestic crushing or export.

On Wednesday, October 1, the USDA sells peanuts for crushing or export, and on this occasion the amount was 2,669,373 pounds of shelled peanuts, and they also offered approximately 3,490,628 pounds of shell, and 500,000 pounds of farmers' stock peanuts for domestic crushing or export.

On October 8, 1969, the USDA announced the sale of 3,490,628 pounds of shelled, and 611,000 pounds of farmers' stock peanuts for domestic crushing or export.

On Wednesday, October 15, the USDA sells peanuts for domestic crushing or export. This time the sale was for 4,459,545 pounds of shelled peanuts and approximately 5,104,570 pounds of shell, and 10,600,000 pounds of farmers' stock peanuts.

Now, I could go on and on, but I just picked a few of these figures from my files.

Now, let me read what I learned in this letter of April 17:

Peanuts, now being sold, were acquired by the CCC at an average price per pound of approximately 16.3 cents for shelled peanuts, and approximately 16 cents per pound excluding handling and storage costs for farmers' stock. The average selling price of the 1968 crop for marketing to date have a market value to date that is approximately 6.4 cents per pound for shelled peanuts, and 8.1 cents per pound for kernels, and farmers' stock.

I want to point out to the membership of this House that we are trying to balance budgets, and I think it is a commendable thing to do, but I do want to take this opportunity to point out to the membership of this House just how much we are losing through the sale of surplus peanuts, and that, ladies and gentlemen, "ain't peanuts."

Mr. KYL. Mr. Speaker, will the gentleman yield?

Mr. GOODLING. I am glad to yield to the gentleman.

Mr. KYL. Do I correctly understand that what the gentleman is saying is that a man who has a surplus of peanuts can sell them to the Government for approximately 16 cents a pound, that the same individual could buy those peanuts back for approximately 12 cents a pound or 6 cents a pound, whatever the figure was, and then having purchased those peanuts, he can crush them, make peanut

butter, and sell the peanut butter back to the Commodity Credit Corporation? Is that what the gentleman said?

Mr. GOODLING. I said there is a great possibility of that being done. I am not absolutely certain it is being done. It is a logical conclusion.

Mr. KYL. Is there anything in the law that would prevent such a course of action?

Mr. GOODLING. I think we should get rid of the original law and avoid some of the complications we are having here today.

Mr. O'NEAL of Georgia. Mr. Speaker, will the gentleman yield?

Mr. GOODLING. I yield to the gentleman from Georgia.

Mr. O'NEAL of Georgia. If the gentleman will inquire, he will find that peanuts held by the CCC are crushed into oil.

Mr. GOODLING. I am sorry; I did not hear the gentleman.

Mr. O'NEAL of Georgia. I said I believe if the gentleman will make the proper inquiry, he will find that all the peanuts held by CCC are crushed for oil and for no other purpose. It goes into oil for export. I do not think it is possible under the law for any of it to go into peanut butter.

Mr. GOODLING. You will probably agree that when CCC peanuts were sold to crushers, the crushers in turn resold their surplus to the Government; is that correct?

Mr. O'NEAL of Georgia. I suppose what you are saying is that there might be some cheating somewhere. Is that what you are saying?

Mr. GOODLING. I beg your pardon?

Mr. O'NEAL of Georgia. I suppose what you are really saying is that there might be some cheating somewhere?

Mr. GOODLING. No; I do not think there is any cheating. I think it is all legitimate.

Mr. POAGE. Mr. Speaker, will the gentleman yield?

Mr. GOODLING. I yield to the gentleman from Texas.

Mr. POAGE. I think it should be understood that all peanuts are divided into either edible peanuts or peanuts for oil purposes. The Government does not sell anybody edible oil peanuts, and let them then turn them into edible peanuts and crush them into peanut butter. It allows them only to crush the peanuts into oil and that oil is sold into industry. The edible peanuts are a completely different commodity from oil peanuts. A man cannot legally buy that. The gentleman suggested a point, probably thinking of somebody doing something against the law—I know that is not the gentleman's intention—but if a man obeying the law buys oil peanuts, all he can do is take them to an oil mill where they are crushed into oil and for stock food. If he buys edible peanuts and pays the edible price for them, it is a great deal higher than the oil price.

Mr. GOODLING. The letter I have states that 8.1 cents a pound was the selling price at this particular time.

Mr. POAGE. For oil purposes, not for edible peanuts.

Mr. GOODLING. It does not change the fact that we are losing millions of dollars every year in selling surplus peanuts.

Mr. O'NEAL of Georgia. Mr. Speaker, will the gentleman yield further?

Mr. GOODLING. I yield to the gentleman from Georgia.

Mr. O'NEAL of Georgia. What you are saying is that the peanut program is costing money. But will you agree that it is costing far less money in proportion to other agricultural commodity programs?

Mr. GOODLING. I think you are absolutely correct.

Mr. O'NEAL of Georgia. I thank the gentleman.

Mr. GOODLING. We are doing the same thing with too many farm commodities, in my opinion.

The SPEAKER pro tempore. The gentleman from Oklahoma is recognized.

Mr. BELCHER. Mr. Speaker, I yield myself 1 minute.

Regardless of what we may think of the peanut program or any other farm program, as far as that is concerned, this bill itself is a good bill and should be passed. This bill will not cost the Government. It has been successful. As I have said, regardless of what you think of farm programs or what you think of the peanut program or anything else, this a good bill and should be passed.

Mr. Speaker, I have no further requests for time.

Mr. O'NEAL of Georgia. Mr. Speaker, I yield whatever time he may consume to the gentleman from North Carolina (Mr. FOUNTAIN).

Mr. FOUNTAIN. Mr. Speaker, I support this legislation. Many of the peanut growers in my area are among our poorest farmers. In the event of a bad year due to unfavorable weather conditions, many of our smaller growers are forced to seek help from the welfare department.

Passage of H.R. 14030, transfer of peanut acreage allotments, is therefore of vital concern to the peanut growers of North Carolina and especially in my congressional district.

This bill is simply a 1-year extension of an act which passed 2 years ago by a vote of 256 to 57.

In the past 2 years the act has proved highly beneficial in allowing the consolidation of small allotments into larger and more economical groupings.

Under the act producers have been able to acquire enough peanut acreage to grow this important crop on a sounder economic basis. It has benefited both the lessee and lessor of peanut allotments. Most peanut growers are very small producers. Some grow nothing else of any consequence. Peanuts are their only source of livelihood.

The act has enabled those peanut growers who wanted to go out of peanut production to do so, yet to retain some benefit. Thus, all sides have been able to have opportunity for profit, however small.

The act has put peanut production into the hands of those who want to grow peanuts, yet at the same time has prevented allotments from leaving the county of origin.

The present law has met with almost unanimous approval and the new bill, which simply extends the act for another year, is a wise and proper measure.

Mr. Speaker, I am in favor of this legislation and urge its passage. I hope it will pass the House unanimously.

(Mr. FOUNTAIN asked and was given permission to revise and extend his remarks.)

Mr. O'NEAL of Georgia. Mr. Speaker, I yield to the gentleman from Ohio (Mr. MILLER).

Mr. MILLER of Ohio. Mr. Speaker, I rise in support of the bill.

[Mr. MILLER of Ohio addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

(Mr. MILLER of Ohio asked and was given permission to revise and extend his remarks.)

Mr. BURLESON of Texas. Mr. Speaker, on March 19, 1969, I introduced legislation for the purpose embodied in the bill now before us.

Several speakers have mentioned that this is a measure which will benefit the very small farmer most. In some instances the producer can do better by leasing or selling his allotment to a neighbor under circumstances which make it most difficult for him to operate a very small unit. Those who want to establish a larger operation must necessarily have more acreage. The price of machinery which now goes into peanut farming has, as everyone knows, increased tremendously in price, which makes farming a tremendously expensive undertaking.

There is good reason to provide the transfer of acreage within the county lines for the reasons pointed out by our able colleague the gentleman from Georgia (Mr. O'NEAL). I hope we may have your support for this bill which can mean a great deal to many of our peanut farmers.

The SPEAKER. The question is on the motion of the gentleman from Georgia that the House suspend the rules and pass the bill H.R. 14030.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. O'NEAL of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill (H.R. 14030) just passed.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

FEDERAL CONTESTED ELECTION ACT

Mr. ABBITT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 14195), to revise the law governing contests of elections of Members of the House of Representatives, and for other purposes, as amended.

The Clerk read as follows:

H.R. 14195

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Federal Contested Election Act".

DEFINITIONS

SEC. 2. For purposes of this Act—

(a) The term "election" means an official general or special election to choose a Representative in or Resident Commissioner to the Congress of the United States, but does not include a primary election, or a caucus or convention of a political party.

(b) The term "candidate" means an individual (1) whose name is printed on the official ballot for election to the House of Representatives of the United States, or (2) notwithstanding his name is not printed on such ballot, who seeks election to the House of Representatives by write-in votes, provided that he is qualified for such office and that, under the law of the State in which the congressional district is located, write-in voting for such office is permitted and he is eligible to receive write-in votes in such election.

(c) The term "contestant" means an individual who contests the election of a Member of the House of Representatives of the United States under this Act.

(d) The term "contestee" means a Member of the House of Representatives of the United States whose election is contested under this Act.

(e) The term "Member" means an incumbent Representative in or Resident Commissioner to the Congress of the United States, or an individual who has been elected to either of such offices but has not taken the oath of office.

(f) The term "Clerk" means the Clerk of the House of Representatives of the United States.

(g) The term "committee" means the Committee on House Administration of the House of Representatives of the United States.

(h) The term "State" includes territory and possession of the United States.

(i) The term "write-in vote" means a vote cast for a person whose name does not appear on the official ballot by writing in the name of such person on such ballot or by any other method prescribed by the law of the State in which the election is held.

NOTICE OF CONTEST

SEC. 3. (a) Whoever, having been a candidate for election to the House of Representatives in the last preceding election and claiming a right to such office, intends to contest the election of a Member of the House of Representatives, shall, within thirty days after the result of such election shall have been declared by the officer or Board of Canvassers authorized by law to declare such result, file with the Clerk and serve upon the contestee written notice of his intention to contest such election.

(b) Such notice shall state with particularity the grounds upon which contestant contests the election and shall state that an answer thereto must be served upon contestant under section 4 of this Act within thirty days after service of such notice. Such notice shall be signed by contestant and verified by his oath or affirmation.

(c) Service of the notice of contest upon contestee shall be made as follows:

(1) by delivering a copy to him personally;

(2) by leaving a copy at his dwelling house or usual place of abode with a person of discretion not less than sixteen years of age then residing therein;

(3) by leaving a copy at his principal office or place of business with some person then in charge thereof;

H. R. 14030

IN THE SENATE OF THE UNITED STATES

OCTOBER 21, 1969

Read twice and referred to the Committee on Agriculture and Forestry

AN ACT

To amend section 358a (a) of the Agricultural Adjustment Act of 1938, as amended, to extend the authority to transfer peanut acreage allotments.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 358a (a) of the Agricultural Adjustment Act
4 of 1938, as amended, is amended by changing “and 1969”
5 to read “, 1969, and 1970”.

Passed the House of Representatives October 20, 1969.

Attest:

W. PAT JENNINGS,

Clerk.

91ST CONGRESS
1ST SESSION

H. R. 14030

AN ACT

To amend section 358a(a) of the Agricultural Adjustment Act of 1938, as amended, to extend the authority to transfer peanut acreage allotments.

OCTOBER 21, 1969

Read twice and referred to the Committee on
Agriculture and Forestry

Nov. 5/69

NATIONAL SCIENCE FOUNDATION. Received and agreed to the conference report on S.1857, to authorize appropriations for activities of the National Science Foundation pursuant to Public Law 81-507, as amended (pp. S13841-43). This bill will now be sent to the President.

PEANUTS; ~~APPLES~~. The Agriculture and Forestry Committee voted to report (but did not actually report) H. R. 14030, to amend the Agricultural Adjustment Act of 1938 so as to extend the authority to transfer peanut acreage allotments; and S. 1456, ~~to permit marketing orders under the Agricultural Marketing Agreement Act applicable to apples so as to provide for paid advertising.~~ p. D1027

CONSERVATION. Passed as reported S. 118, to grant the consent of the Congress to the Tahoe regional planning compact, to authorize the Secretary of the Interior and others to cooperate with the planning agency thereby created. pp. S13795-13800

CIGARETTES. The Commerce Committee voted to report (but did not actually report) H. R. 6543, the proposed Public Health Cigarette Smoking Act. p. D1027

USER CHARGES; AIRWAYS. The Commerce Committee voted to report (but did not actually report) S. 3108, the proposed Airport and Airways Development Act of 1969. p. D1027

RESEARCH FUNDS. Sen. Mathias criticized proposed cuts in research and training program funds. p. S13763

PESTICIDES. Sen. Nelson inserted articles showing the "growing list of countries who have placed substantial controls on the use of the pesticide DDT." pp. S13822-3

SELECTIVE SERVICE. Sens. Dole and Kennedy urged the Senate to act on draft reform. pp. S13832-3, S13843

HUNGER. Sen. Percy called for positive action to extend the tenure of the "Hunger" Committee. pp. S13833-4

POLLUTION. Sen. Murphy discussed and inserted an article, "Air Pollution: Toward a Cleaner Car." p. S13839

LEGISLATIVE PROGRAM. Sen. Mansfield announced the Senate will consider the truth-in-credit bill on Thurs., the independent offices, **public works**, and **continuing resolution appropriation bills next week**; a food stamp authorization bill will be considered within the next several days. p. S13835

HOUSE

FOOD STAMPS. Passed under suspension of the rules H. J. Res. 934, to increase the appropriation authorization for the food stamp program for fiscal year 1970 from \$340 million to \$610 million. pp. H10539-42

REA LOANS. Rep. Michel said he had asked for "..... an intensive review of large generation and transmission loans made by the previous REA Administrator." pp. H10614-7

18. FEDERAL EMPLOYEES: POLITICAL ACTIVITY. Sen. Nelsen inserted an article by Sen. Murphy, Calif., dealing with the establishment of a Federal civil service merit system free of "political arm-twisting and partisan manipulation." pp. H10610-1
19. URBAN AFFAIRS. Rep. Reuss listed the names of participants in the conference on "The States and the Urban Crisis," and inserted the American Assembly's final report. pp. H10605-7
20. OPINION POLL. Rep. Stratton inserted the results of an opinion poll which contains items of interest to this Department. pp. H10617-8
21. LEGISLATIVE PROGRAM. The "Daily Digest" states that H. R. 14465, to provide for the improvement of the Nation's airport system and for the imposition of airport and airway user charges will be considered today Nov. 6. p. D1029

EXTENSION OF REMARKS

22. HOUSING. Rep. Price, Tex., stated that "rural America with only 30 percent of the Nation's population has half of its substandard housing," and urged enactment of the rural housing extension bill. p. E9385
Rep. Hanna criticized the "impending housing crisis and the ill-conceived anti-inflation policies being followed by the administration." pp. E9403-7
23. FARM PROGRAM. Rep. Udall stated that "dynamic changes are taking place in American agriculture" and that "One of the most significant movements is that of large corporations into agriculture" and inserted an article on this subject. p. E9388

BILLS INTRODUCED

24. RESEARCH. S. 3118 by Sen. Pell, H. R. 14700 by Rep. Rogers, to amend the National Sea Grant College and Program Act of 1966 in order to authorize coastal zone laboratory programs; to the Merchant Marine and Fisheries Committee. Remarks of Rep. Rogers pp. E9379-80.
25. RETIREMENT. H. R. 14672 by Rep. Burke, to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Ways and Means Committee.
26. FARM PROGRAM. H. R. 14675 by Rep. Conable, to adjust agricultural production, to provide a transitional program for farmers; to the Agriculture Committee.
27. ORGANIZATION. H. R. 14679 by Rep. Hamilton, to establish in the Executive Office of the President an independent agency to be known as the Office of Executive Management; to the Government Operations Committee.
H. R. 14698 by Rep. O'Neill, to reorganize the executive branch of the Government by transferring to the Secretary of the Interior certain functions of the Secretary of Agriculture; to the Agriculture Committee.
28. FOOD STAMPS. H. R. 14694 by Rep. Fraser, to amend the Food Stamp Act of 1964 to authorize elderly persons to exchange food stamps under certain circumstances for meals prepared and served by private nonprofit organizations; to the Agriculture Committee.
29. HOUSING. H. R. 14695 by Rep. Gonzalez, to establish a development bank to aid in financing low- and moderate-income housing, employment opportunities for unemployed

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(FOR INFORMATION ONLY;
NOT TO BE QUOTED OR CITED)

Issued
For actions of

Nov 7, 1969
Nov 6, 1969
No 182

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HIGHLIGHTS: Senate passed measure to increase food stamp appropriation authorization. House agreed to Great Plains program conference report. Senate committee reported peanut acreage allotments and marketing orders for apples bills. House committee reported foreign aid authorization bill. Rep. Brown, Ohio, introduced and discussed farm bill.

SENATE

1. APPROPRIATIONS. The Appropriations Committee reported with amendments H. R. 12307, the independent offices and HUD appropriation bill, 1970 (S. Rept. 91-521) (p. S. 13847). The "Daily Digest" states, "As approved by the committee, the bill would appropriate a total of \$14,981,949,999, and increase of \$72,860,000 over the House-passed figure of \$14,909,089,000" (p. D1034).
2. ~~APPLES; PEANUTS.~~ The Agriculture and Forestry Committee reported without amendment H. R. 14030, to amend section 358a(a) of the Agricultural Adjustment Act of 1938, as amended, to extend the authority to transfer peanut acreage allotments (S. Rept. 91-525). p. S13848'
The Agriculture and Forestry Committee reported with amendments S. 1456, to amend sections 2(3) and 8c(6) (I) of the Agricultural Marketing Agreement Act of 1937, as amended, so as to permit marketing orders applicable to apples to provide for apid advertising (S. Rept. 91-524). p. S13848
3. WILDLIFE. The Commerce Committee reported with amendments H. R. 11363, to prevent the importation of endangered species of fish or wildlife into the United States; to prevent the interstate shipment of reptiles, amphibians, and other wildlife taken contrary to State law (S. Rept. 91-526). p. S13848
4. CREDIT. Passed as reported S. 823, to enable consumers to protect themselves against arbitrary, erroneous, and malicious credit information (pp. S13900-03, S13905-9). Agreed to the committee amendment in the nature of a substitute which would permit a consumer, whenever he is turned down, to have the right to find out what is in his credit file and to have it corrected. (p. S13910).
5. FOOD STAMPS. Passed without amendment H. J. Res. 934, to increase the appropriation authorization for the food stamp program for fiscal year 1970 to \$610 million (pp. S13893-7). This measure will now be sent to the President.
6. PESTICIDES; ENVIRONMENT. Sen. Tydings deplored our "carelessness" with pesticides in our environment. pp. S13849-50
7. SHIPPING. Sen. Mondale stated that he will "insist on fair treatment of the Great Lakes shipping industry in any new maritime program which may be enacted." p. S13851
8. TAXATION. Sen. Curtis commended the staffs of the Jt. Committee on Internal Revenue and the Finance Committee for the work they have done in the last few weeks in handling the tax reform bill. pp. S13863-4
9. RESEARCH FUNDS. Sen. Allen opposed proposed cuts in health and research funds. pp. S13864-6
10. SELECTIVE SERVICE. Sen. Stennis spoke in favor of the House-passed provision to the Selective Service Act to prohibit random selection. p. S13891
Sen. Smith, Me., opposed ending the Draft Act "months earlier -- and.... in an election year." p. S13899

TRANSFER OF PEANUT ACREAGE ALLOTMENTS

NOVEMBER 6, 1969.—Ordered to be printed

Mr. HOLLAND, from the Committee on Agriculture and Forestry,
submitted the following

REPORT

[To accompnay H.R. 14030]

The Committee on Agriculture and Forestry, to which was referred the bill (H.R. 14030) to amend section 358a (a) of the Agricultural Adjustment Act of 1938, as amended, to extend the authority to transfer peanut acreage allotments, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

This bill would extend to the 1970 crop the existing authority of the Secretary of Agriculture to permit transfer of peanut acreage allotments within a county where that will not impair the effective operation of the peanut marketing quota or price-support program.

The report of the Department of Agriculture stating that it has no objection to a 1-year extension, and that its enactment will not require additional funds, is attached.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, August 14, 1969.

Hon. W. R. POAGE,
Chairman, Committee on Agriculture,
House of Representatives.

DEAR MR. CHAIRMAN: This is in reply to your request of March 21, for a report on H.R. 9246, a bill to amend section 358a of the Agricultural Adjustment Act of 1938, as amended, to make permanent the authority to transfer peanut allotments by sale, lease, or by owner.

We do not favor the bill as proposed since it would make the transfer authority permanent. However, we would favor a bill to provide a 1-year extension through the 1970 crop year. This would make the transfer authority expire for peanuts the same year as for upland cotton.

A 1-year extension would give us an opportunity to evaluate the overall effectiveness and desirability of the transfer authority for all allotment crops. We anticipate that our recommendation on the allotment transfer issue will be made a part of the Department's overall farm program for consideration by the Congress.

Enactment of a bill to provide a 1-year extension would not require additional funds.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

J. PHIL CAMPBELL,
Acting Secretary.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in *italic*, existing law in which no change is proposed is shown in roman):

AGRICULTURAL ADJUSTMENT ACT OF 1938

* * * * *

PART VI—MARKETING QUOTAS—PEANUTS

MARKETING QUOTAS

SEC. 358a. (a) Notwithstanding any other provision of law for the 1968 [and 1969], *1969 and 1970* crop years, the Secretary, if he determines that it will not impair the effective operation of the peanut marketing quota or price-support program, (1) may permit the owner and operator of any farm for which a peanut acreage allotment is established under this Act to sell or lease all or any part or the right to all or any part of such allotment to any other owner or operator of a farm in the same county for transfer to such farm; and (2) may permit the owner of a farm to transfer all or any part of such allotment to any other farm owned or controlled by him.

(b) Transfers under this section shall be subject to the following conditions: (1) no allotment shall be transferred to a farm in another county; (2) no transfer of an allotment from a farm subject to a mortgage or other lien shall be permitted unless the transfer is agreed to by the lienholders; (3) no sale of a farm allotment from a farm shall be permitted if any sale of allotment to the same farm has been made within the three immediately preceding crop years; (4) no transfer of allotment shall be effective until a record thereof is filed with the county committee of the county in which such transfer is made and such committee determines that the transfer complies with the provisions of this section; and (5) if the normal yield established by the county committee for the farm to which the allotment is transferred does not exceed the normal yield established by the county committee for the farm from which the allotment is transferred by more than

10 per centum, the lease or sale and transfer shall be approved acre for acre, but if the normal yield for the farm to which the allotment is transferred exceeds the normal yield for the farm from which the allotment is transferred by more than 10 per centum, the county committee shall make a downward adjustment in the amount of the acreage allotment transferred by multiplying the normal yield established for the farm from which the allotment is transferred by the acreage being transferred and dividing the result by the normal yield established for the farm to which the allotment is transferred: *Provided*, That in the event an allotment is transferred to a farm which at the time of such transfer is not irrigated, but within five years subsequent to such transfer is placed under irrigation, the Secretary shall also make an annual downward adjustment in the allotment so transferred by multiplying the normal yield established for the farm from which the allotment is transferred by the acreage being transferred and dividing the result by the actual yield for the previous year, adjusted for abnormal weather conditions, on the farm to which the allotment is transferred: *Provided further*, That, notwithstanding any other provision of this Act, the adjustment made in any peanut allotment because of the transfer to a higher producing farm shall not reduce or increase the size of any future National or State allotment and an acreage equal to the total of all such adjustments shall not be allotted to any other farms.

(c) The transfer of an allotment shall have the effect of transferring also the acreage history and marketing quota attributable to such allotment and if the transfer is made prior to the determination of the allotment for any year the transfer shall include the right of the owner or operator to have an allotment determined for the farm for such year: *Provided*, That in the case of a transfer by lease the amount of the allotment shall be considered, for the purpose of determining allotments after the expiration of the lease, to have been planted on the farm from which such allotment is transferred.

(d) The land in the farm from which the entire peanut allotment has been transferred shall not be eligible for a new farm peanut allotment during the five years following the year in which such transfer is made.

(e) Any lease may be made for such term of years not to exceed five as the parties thereto agree, and on such other terms and conditions except as otherwise provided in this section as the parties thereto agree.

(f) The lease of any part of a peanut acreage allotment determined for a farm shall not affect the allotment for the farm from which such allotment is transferred or the farm to which it is transferred, except with respect to the crop year or years specified in the lease. The amount of the acreage allotment which is leased from a farm shall be considered for purposes of determining future allotments to have been planted to peanuts on the farm from which such allotment is leased and the production pursuant to the lease shall not be taken into account in establishing allotments for subsequent years for the farm to which such allotment is leased. The lessor shall be considered to have been engaged in the production of peanuts for purposes of eligibility to vote in the referendum.

(g) The Secretary shall prescribe regulations for the administration of this section which may include reasonable limitation on the size of the resulting allotments on farms to which transfers are made and such other terms and conditions as he deems necessary, but the total peanut allotment transferred to any farm by sale or lease shall not exceed fifty acres.

(h) If the sale or transfer occurs during a period in which the farm is covered by a conservation reserve contract, cropland conversion agreement, or other similar land utilization agreement the rates of payment provided for in the contract or agreement of the farm from which the transfer is made shall be subject to an appropriate adjustment, but no adjustment shall be made in the contract or agreement of the farm to which the transfer is made.



Calendar No. 518

91ST CONGRESS
1ST SESSION

H. R. 14030

[Report No. 91-525]

IN THE SENATE OF THE UNITED STATES

OCTOBER 21, 1969

Read twice and referred to the Committee on Agriculture and Forestry

NOVEMBER 6, 1969

Reported by Mr. HOLLAND, without amendment

AN ACT

To amend section 358a (a) of the Agricultural Adjustment Act of 1938, as amended, to extend the authority to transfer peanut acreage allotments.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 358a (a) of the Agricultural Adjustment Act
4 of 1938, as amended, is amended by changing “and 1969”
5 to read “, 1969, and 1970”.

Passed the House of Representatives October 20, 1969.

Attest:

W. PAT JENNINGS,

Clerk.

Calendar No. 518

91ST CONGRESS
1ST SESSION

H. R. 14030

[Report No. 91-525]

AN ACT

To amend section 358a(a) of the Agricultural Adjustment Act of 1938, as amended, to extend the authority to transfer peanut acreage allotments.

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Reported without amendment

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(FOR INFORMATION ONLY;
NOT TO BE QUOTED OR CITED)

For actions of Nov. 10 ~~& 11~~, 1969.
91st - 1st Nos. 184 ~~& 185~~

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HIGHLIGHTS: Senate passed peanut acreage allotments transfer bill. Senate passed paid advertising under apple marketing orders bill. Senate began debate on independent offices and HUD appropriation bill. Senate passed independent offices and HUD appropriation bill.

SENATE - NOV. 10

1. PEANUTS. Passed without amendment H. R. 14030, to amend section 358a(a) of the Agricultural Adjustment Act of 1938, as amended, to extend to the 1970 crop the authority to transfer peanut acreage allotments within a county where that will not impair the effective operation of the peanut marketing quota or price-support program (p. S13969). This bill will now be sent to the President.
2. APPLES. Passed with amendments S. 1456, to amend section 8c (6) (1) of the Agricultural Adjustment Act as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 and subsequent legislation, so as to permit marketing orders applicable to apples to provide for paid advertising.
p. S13969
3. FISH AND WILDLIFE. Passed with amendments H. R. 11363, to prohibit the importation of endangered species of fish and wildlife into the U. S.
pp. S13969-73
4. APPROPRIATIONS. Began debate on H. R. 12307, the independent offices and HUD appropriation bill, 1970. pp. S13989, S14010-6, S14025-47, S14047-53
The Appropriations Committee reported with amendments H. R. 14159, the public works appropriation bill (S. Rept 91-528). p. S13986
5. MILITARY CONSTRUCTION. The Armed Services Committee reported with amendment H. R. 13018, the military construction authorization bill (S. Rept. 91-527). p. S13986
6. HUMAN ENVIRONMENT. Agreed to S. Res. 179, expressing the sense of the Senate that the U. S. should actively participate in the 1972 United Nations Conference on Human Environment. pp. S13967-8
7. SELECTIVE SERVICE. The "Daily Digest" states that the Committee on Armed Services unanimously voted to adopt a committee resolution declaring it to be the sense of the committee that : "(1) the committee support the approval of H. R. 14001, amending the Selective Service Act of 1967, without amendments; (2) the committee individually and collectively will oppose the consideration and passage of any amendments to H. R. 14001 under the circumstances; and (3) the chairman announce to the leadership and to the public that under these conditions the Armed Services Committee will begin comprehensive and extensive hearings on selective service legislation not later than February 15, 1970." p. D1047
8. FLOOD CONTROL. Ratified, 67-3, an agreement with Canada on adjustments in flood control payments. pp. S14024-5
9. ECONOMY. Sen. Javits urged prompt action in dealing with the interest equalization tax extension and said its lapse constitutes a serious breach in the major system of controls on capital in the U. S. and has consequences serious and adversely affecting our balance of payments and the strength of the American investments overseas. pp. S13979-80
10. PRIVACY. Sen. Ervin spoke on the infringement of computerized data on the privacy of the individual and said there is need for establishment of an independent regulatory agency to control this new communication-surveillance system. pp. S13980-4

Olympic Committee to come and actively participate in the 1976 Olympic games, if they are to be held in the cities of Los Angeles and Denver. It also pledges to all nations and authorized Olympic delegations that the United States will provide appropriate entry procedures assuring convenient arrivals and departures.

BACKGROUND

The last principal games held in the United States were at Los Angeles in 1932. Since resumption of the games after World War II, the U.S. Olympic Committee has issued regular periodic invitations to the International Committee to have a U.S. site selected for the principal games and/or the winter games preceding them. The Congress has endorsed by resolution all of these efforts, namely Detroit and Lake Placid for 1956, Detroit and Squaw Valley for 1960, Detroit for 1964, Detroit and Lake Placid for 1968 and Salt Lake City for 1972. All but the invitation to hold the winter games at Squaw Valley in 1960 were rejected. Discussions for a site for the 1976 Olympic games is now beginning and this coincides with the American Bicentennial Celebration as is pointed out in the sponsors letter which follows:

U.S. SENATE,

COMMITTEE ON APPROPRIATIONS,

Washington, D.C., September 29, 1969.

Hon. J. W. FULBRIGHT,
Chairman, Foreign Relations Committee, U.S. Senate, New Senate Office Building,
Washington, D.C.

DEAR MR. CHAIRMAN: On July 7, 1969, the four of us introduced Senate Joint Resolution 131, which authorizes and requests the President to issue a proclamation of welcome to all Olympic delegations throughout the world asking them to participate in the 1976 Olympic games, if the games are held in Los Angeles and Denver, and to pledge that the United States will provide appropriate entry procedures assuring convenient arrivals and departures.

The International Olympic Committee will be meeting in Dubrovnik, Yugoslavia, in October to discuss, among other matters, the question of site selection of the 1976 Olympic games, and the final decision on site selection will be made at the IOC's Amsterdam, Holland, meeting in May of 1970. Both Los Angeles and Denver have set up organizing committees to "sell" each city and its unique and special attractions as the best sites for the summer and winter games in 1976. Because 1976 is the American bicentennial, it would be particularly appropriate to have the Olympic games held here in the United States.

In order to assist both Denver and Los Angeles in presenting their case to the International Olympic Committee, we would at this time like to urge you to schedule hearings as early as possible on Senate Joint Resolution 131, so that these cities, as well as the U.S. Olympic Committee, will be able to point to this joint resolution and the subsequent Presidential proclamation and pledge as additional evidence of the United States intentions to make these many Olympic delegations welcome and to make their entry into this country as convenient as possible.

With best regards,

Sincerely yours,

GORDON ALLOTT,
GEORGE MURPHY,
PETER H. DOMINICK,
ALAN CRANSTON.

PAID ADVERTISING UNDER APPLE MARKETING ORDERS

The Senate proceeded to consider the bill (S. 1456) to amend sections 2(3) and 8c(6)(I) of the Agricultural Marketing Agreement Act of 1937, as amended, so as to permit marketing or-

ders applicable to apples to provide for paid advertising, which had been reported from the Committee on Agriculture and Forestry with an amendment to strike out all after the enacting clause and insert:

That the proviso at the end of section 8c(6)(I) of the Agricultural Adjustment Act as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 and subsequent legislation is amended by striking out "or avocados" and inserting in lieu thereof "avocados or apples".

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-524), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

This bill, with the committee amendments, would extend to apples those provisions of the marketing order law which now authorize paid advertising to be provided for in marketing orders for cherries, carrots, citrus fruits, onions, Tokay grapes, fresh pears, dates, plums, nectarines, celery, sweet corn, limes, olives, pecans, and avocados.

The policy of Congress has generally been to extend this authority to any commodity for which such action is generally supported. The committee has received no objections to its extension to apples. The bill, with the committee amendments, is identical in effect to section 805(b) of S. 3590, as passed by the Senate on July 20, 1968.

The committee amendments strike out a provision for above-parity regulation and correct the citation of the act being amended.

The Department of Agriculture was asked on March 11 for a report on the bill, but has not yet reported.

The title was amended so as to read: "An Act to amend section 8c(6)(I) of the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 and subsequent legislation, so as to permit marketing orders applicable to apples to provide for paid advertising."

TRANSFER OF PEANUT ACREAGE ALLOTMENTS

The bill (H.R. 14030) to amend section 358a(a) of the Agricultural Adjustment Act of 1938, as amended, to extend the authority to transfer peanut acreage allotments was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-525), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

This bill would extend to the 1970 crop the existing authority of the Secretary of Agriculture to permit transfer of peanut acreage allotments within a county where that will not impair the effective operation of the peanut marketing quota or price-support program.

The report of the Department of Agriculture stating that it has no objection to a 1-

year extension, and that its enactment will not require additional funds, is attached.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, August 14, 1969.

Hon. W. R. POAGE,
Chairman, Committee on Agriculture,
House of Representatives.

DEAR MR. CHAIRMAN: This is in reply to your request of March 21, for a report on H.R. 9246, a bill to amend section 358a of the Agricultural Adjustment Act of 1938, as amended, to make permanent the authority to transfer peanut allotments by sale, lease, or by owner.

We do not favor the bill as proposed since it would make the transfer authority permanent. However, we would favor a bill to provide a 1-year extension through the 1970 crop year. This would make the transfer authority expire for peanuts the same year as for upland cotton.

A 1-year extension would give us an opportunity to evaluate the overall effectiveness and desirability of the transfer authority for all allotment crops. We anticipate that our recommendation on the allotment transfer issue will be made a part of the Department's overall farm program for consideration by the Congress.

Enactment of a bill to provide a 1-year extension would not require additional funds.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

J. PHIL CAMPBELL,
Acting Secretary.

ENDANGERED FISH AND WILDLIFE

The Senate proceeded to consider the bill (H.R. 11363) to prevent the importation of endangered species of fish or wildlife into the United States; to prevent the interstate shipment of reptiles, amphibians, and other wildlife taken contrary to State law; and for other purposes, which had been reported from the Committee on Commerce, with amendments, on page 2, line 1, after the word "any", strike out "part or products or egg" and insert "part, products, egg, or offspring thereof, or the dead body or parts"; in line 10, after the word "whoever", strike out "imports, in violation of sections 2 through 5 of this Act," and insert "imports"; at the beginning of line 14, strike out "such sections," and insert "section 3 of this Act,"; on page 3, line 6, after the word "commercial", insert "or sporting"; in line 7, after the word "or", where it appears the third time, strike out "man-made" and insert "man-made"; on page 4, line 23, after the word "violates", strike out "the provisions" and insert "any provision"; in line 24, after the word "of", strike out "sections 2 and 3" and insert "section 2 or 3"; in line 25, after the word "thereunder," insert "or any regulation issued under subsection (d) of this section, other than a violation the penalty for which is prescribed by subsection (b) of this section"; in line 5, after the word "person" strike out "shall be" and insert "is"; in line 6, after the word "hearing", strike out "on such charge", and insert "with respect to such violation,"; in line 10, after the word "this", strike out "section" and insert "paragraph"; in line 15, after the word "action," insert:

In hearing such action, the court shall have authority to review the violation and

the assessment of the civil penalty de novo.

(2) Any employee authorized pursuant to subsection (c) of this section to enforce the provisions of sections 2 and 3 of this Act, and any regulations or permits issued pursuant thereto or pursuant to subsection (d) of this section, shall have authority, in addition to any other authority provided by law relating to search and seizure, to execute any warrant to search for and seize any fish or wildlife or property or items taken, used, or possessed in connection with any violation of any such section, regulation, or permit with respect to which a civil penalty may be assessed pursuant to paragraph (1) of this subsection. Such fish, wildlife, property, or item so seized shall be held by any employee authorized by the Secretary or the Secretary of the Treasury pending disposition of proceedings by the Secretary involving the assessment of a civil penalty pursuant to paragraph (1) of this subsection; except that the Secretary may, in lieu of holding such fish, wildlife, property, or item, permit such person to post a bond or other surety satisfactory to the Secretary. Upon the assessment of a civil penalty pursuant to paragraph (1) of this subsection for any nonwillful violation of any such section, regulation, or permit, such fish, wildlife, property, or item so seized may be proceeded against in any court of competent jurisdiction and forfeited to the Secretary for disposition by him in such manner as he deems appropriate. The owner or consignee of any such fish, wildlife, property, or item so seized shall, as soon as practicable following such seizure, be notified of that fact in accordance with regulations established by the Secretary or the Secretary of the Treasury. Whenever any fish or wildlife or property or item is seized pursuant to this subsection, the Secretary shall move to dispose of the civil penalty proceedings pursuant to paragraph (1) of this subsection as expeditiously as possible. If, with respect to any such fish, wildlife, property, or item so seized no action is commenced in any court of competent jurisdiction to obtain the forfeiture of such fish, wildlife, property, or item within thirty days following the disposition of proceedings involving the assessment of a civil penalty, such fish, wildlife, property, or item shall be immediately returned to the owner or the consignee in accordance with regulations promulgated by the Secretary.

On page 7, line 8, after the word "violates", strike out "the provisions" and insert "any provision"; in line 9, after the word "of" strike out "sections 2 and 3" and insert "section 2 or 3"; in line 10, after the word "thereunder", insert "or any regulation issued under subsection (d) of this section"; after line 13, insert:

(c) The provisions of sections 2 and 3 of this Act and any regulations or permits issued thereto or pursuant to subsection (d) of this section shall be enforced by either the Secretary or the Secretary of the Treasury, or both such Secretaries. Either Secretary may utilize, by agreement, the personnel, services and facilities of any other Federal agency or any State agency. Any employee of the Department of the Interior or the Department of the Treasury authorized by the Secretary or the Secretary of the Treasury may, without a warrant, arrest any person who such employee has probable cause to believe is willfully violating, in his presence or view, any such section, or any regulation or permit issued thereunder, the penalty for which is provided under subsection (b) of this section, and may execute a warrant or other process issued by an officer or court of competent jurisdiction to enforce the provisions of such sections, regulations or permits. An employee who has made an arrest of a person in connection with any such willful violation may search such person at the time of his arrest and seize any

fish or wildlife or property or items taken, used, or possessed in connection with any such violation, or any such employee shall have authority, in addition to any other authority provided by law relating to search and seizure, to execute any warrant to search for and seize any such fish, wildlife, property, or item so taken, used, or possessed. Any fish or wildlife or property or item seized shall be held by any employee authorized by the Secretary or the Secretary of the Treasury or by a United States marshal pending disposition of the case by the court, commissioner, or magistrate, except that the Secretary may, in lieu thereof, permit such person to post a bond or other surety satisfactory to him. Upon conviction, any (1) fish or wildlife seized shall be forfeited to the Secretary for disposal by him in such manner as he deems appropriate, and (2) any other property or items seized may, in the discretion of the court, commissioner, or magistrate, be forfeited to the United States or otherwise disposed of. The owner or consignee of any such fish, wildlife, property, or item so seized, shall, as soon as practicable following such seizure, be notified of that fact in accordance with regulations established by the Secretary or the Secretary of the Treasury. If no conviction results from any such alleged violation, such fish, wildlife, property or item so seized in connection therewith shall be immediately returned to the owner or consignee in accordance with regulations promulgated by the Secretary, unless the Secretary, within thirty days following the final disposition of the case involving such violation, commences proceedings under subsection (a) of this section.

On page 9, at the beginning of line 12 strike out "(c)" and insert "(d)"; at the beginning of line 23, insert "except that the Secretary, under such terms and conditions as he may prescribe, may permit importation at nondesignated ports for movement to designated ports of entry."; on page 10, line 2, after the word "provide," insert "other"; after line 4, strike out:

(d) The provisions of section 2 through 5 of this Act and the regulations issued thereunder shall be enforced by either the Secretary or the Secretary of the Treasury, or both such Secretaries. Either Secretary may utilize by agreement the personnel, services, and facilities of any other Federal agency or any State agency. Any employee of the Department of the Interior or the Department of the Treasury authorized by the Secretary or the Secretary of the Treasury may, without a warrant, arrest any person who, within the employee's presence or view, violates the provisions of this Act or any regulation or permit issued thereunder, and may execute a warrant or other process issued by an officer or court of competent jurisdiction. An employee who has made an arrest under this Act may search the person arrested at the time of the arrest and seize any fish or wildlife or property or items taken, used, or possessed in violation of this Act or any regulation or permit issued thereunder. Any fish or wildlife or property or item seized shall be held by the employee or by a United States marshal pending disposition of the case by the court, commissioner, or magistrate, except that the Secretary may, in lieu thereof, permit such person to post a bond or other surety satisfactory to him. Upon conviction, any fish or wildlife seized shall be forfeited to the Secretary for disposal by him. Any other property or items seized may, in the discretion of the court, commissioner, or magistrate, be forfeited to the United States or otherwise disposed of.

On page 11, line 10, after "Sec. 5.", insert "(a)"; at the beginning of line 11, strike out "through 4" and insert "and

3"; in line 15, after the word "prevent," strike out "such" and insert "any"; on page 12, after line 8, insert:

(b) To assure the worldwide conservation of endangered species and to prevent competitive harm to affected United States industries, the Secretary, through the Secretary of State, shall seek the convening of an international ministerial meeting on fish and wildlife prior to June 30, 1971, and included in the business of that meeting shall be the signing of a binding international convention on the conservation of endangered species.

(c) There are authorized to be appropriated such sums, not to exceed \$200,000, as may be necessary to carry out the provisions of subsection (b) of this section, such sums to remain available until expended.

On page 13, after line 11, insert:

(c) Nothing in this Act, or any amendment made by this Act, shall be construed as superseding or limiting in any manner the functions and responsibilities of the Secretary of the Treasury under the Tariff Act of 1930, as amended, including, without limitation, section 527 of said Act (19 U.S.C. 1527) relating to the importation of wildlife taken, killed, possessed or exported to the United States in violation of the laws or regulations of a foreign country.

In line 20, after "Sec. 7.", insert "(a)"; on page 14, line 2, after the word "carries," strike out "or"; in the same line, after the word "transports," insert "or ships, by any means whatever,"; in line 6, after the word "wildlife", strike out "taken, transported, or sold"; in line 9, after the word "carries," strike out "or"; in the same line, after the word "transports," insert "or ships, by any means whatever,"; in line 13, after the word "wildlife", strike out "taken" and insert "taken, transported, or sold"; in line 15, after the word "country," strike out "and" and insert "or"; in line 18, after the word "wildlife", strike out "taken" and insert "taken, transported, or sold"; in line 23, after the word "wildlife", strike out "taken" and insert "taken, transported, or sold"; on page 15, line 8, after "(A)", strike out "taken" and insert "taken, transported, or sold"; in line 13, after "(B)", strike out "taken" and insert "taken, transported, or sold"; in line 21, after the word "Migratory", strike out "Bird" and insert "Birds and Game Mammals"; on page 16, at the beginning of line 3, strike out "(c) Any person who knowingly or has reason to know violates the provisions of subsection (a) or (b) of" and insert "(c) (1) Any person who knowingly violates, or who, in the exercise of due care, should know that he is violating, any provision of subsection (a) or (b) of"; at the beginning of line 11, strike out "shall be" and insert "is"; in the same line, after the word "hearing", strike out "on such charge." and insert "insert respect to such violation."; in line 14, after the word "this", strike out "section" and insert "paragraph"; in line 19, after the word "action.", insert:

In hearing such action, the court shall have authority to review the violation and the assessment of the civil penalty de novo.

(2) Any employee authorized by the Secretary to enforce the provisions of this section, or any officer of the customs, shall have authority to execute any warrant to search for and seize any wildlife, product, property, or item used or possessed in violation of this



Public Law 91-122
91st Congress, H. R. 14030
November 21, 1969

An Act

83 STAT. 213

To amend section 358a(a) of the Agricultural Adjustment Act of 1938, as amended, to extend the authority to transfer peanut acreage allotments.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 358a(a) of the Agricultural Adjustment Act of 1938, as amended, is amended by changing "and 1969" to read ", 1969, and 1970".

81 Stat. 658.
7 USC 1358a.

Approved November 21, 1969.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 91-542 (Comm. on Agriculture).
SENATE REPORT No. 91-525 (Comm. on Agriculture & Forestry).
CONGRESSIONAL RECORD, Vol. 115 (1969):
Oct. 20: Considered and passed House.
Nov. 10: Considered and passed Senate.

